

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

204

CRM-M-20962-2020

Date of decision: 28.08.2020

Jatinder Kaur**.....Petitioner****versus****State of Punjab****....Respondent****CORAM: Hon'ble Mr. Justice Girish Agnihotri**

Present: Mr. Vipul Dharmani, Advocate, for the petitioner.

Mr. Sidakmeet Singh Sandhu, AAG, Punjab.

*(the aforesaid presence is being recorded through video
conferencing since the proceedings are being conducted in Virtual Court).*

GIRISH AGNIHOTRI, J. (Oral)

The matter has been taken up through video-conferencing on account of the restrictions due to outbreak of pandemic COVID-19.

Petitioner-Jatinder Kaur, stated to be aged 32 years, has filed the present petition under Section 439 Cr. P.C. *inter alia* praying for grant of regular bail in case FIR No.106 dated 28.08.2019, under Sections 406, 420, 465, 467, 468, 471 and 120-B IPC, registered at Police Station Nurpur Bedi, District Rupnagar, Punjab.

At the outset, learned counsel for the petitioner submits that vide order dated 20.09.2019, passed by the Additional Sessions Judge, Rupnagar, co-accused, namely, Inderjeet Singh and Sarabjeet Kaur, have been granted anticipatory bail. He further submits that the petitioner was arrested on 23.06.2020. Learned counsel, however, submits that the petitioner is a Doctor by profession and she was not at any helm of the affairs or in any dominant position to get anybody appointed in jobs with NRHM, as alleged

in the FIR.

Learned State counsel vehemently opposes the bail and submits that during the investigation, it has come on record that petitioner had been fraudulently extracting money from 5-6 persons, who had lodged complaints.

Records of the case show that on 11.08.2020, this Court had directed the State counsel to inform the Court regarding the status qua presentation of challan and the case was adjourned for today i.e. 28.08.2020.

Learned State counsel has shared with the Admin of Video conferencing group through whatsapp, the short reply dated 22.08.2020, filed by way of affidavit of Sh. Manmohan Kumar, PPS, Assistant Inspector General of Police, State Crime, SAS Nagar.

In the reply, it has been *inter alia* submitted that the co-accused Inderjeet Singh and Sarabjeet Kaur had joined investigation on 26.09.2019. The bank account statement of the petitioner-Jatinder Kaur was obtained from UCO Bank. It is also submitted that the investigation of the case was transferred to AIG, State Crime on 24.12.2019 by the Director, Bureau of Investigation, Punjab, Chandigarh. It is also mentioned that during investigation, it has come to fore that a cheque of Rs.1 lakh was issued from the complainant's father account in the name of petitioner/Jatinder Kaur, which was deposited by her in bank. Based on the investigation, report of the deponent was considered and agreed by the AIG, State Crime. Directions were issued to SHO, Police Station Nurpur Bedi, District Rupnagar, to prepare and present the challan. It is then submitted that in consequence thereof, challan report under Section 173 Cr.P.C. was prepared on

21.08.2020. It is, however, submitted that the same shall be presented before the Court of Competent jurisdiction.

Faced with the situation, learned counsel for the petitioner submits that the petitioner is a qualified doctor and would cooperate in further investigation and trial. He further submits that the allegations by the complainants are under some misunderstanding. He then submits that due to the present COVID-19 situation, detention of the petitioner in jail is dangerous to her life, therefore, petitioner may be granted concession of regular bail.

This Court deems it appropriate to grant bail on parity and in view of the long custody of the petitioner. In view of the peculiar facts as noticed above, considering the existing situation due to COVID-19 and the fact that trial is likely to take some time, this Court deems it appropriate to direct release of the petitioner on regular bail to the satisfaction of Chief Judicial Magistrate/Duty Magistrate concerned, subject to her furnishing bail bonds/surety bonds. However, it is made clear that anything observed herein shall not be construed as an expression on merits of the case.

In addition to the bail/surety bonds, the petitioner shall get an FDR of Rs.6 lacs (made in her own name) and would keep the FDR intact and renewed till the completion of the trial. This undertaking to keep the FDR renewed till the completion of trial, be sent to the concerned Bank.

The petition stands disposed of accordingly.

(GIRISH AGNIHOTRI)
JUDGE

28.08.2020

jyoti3

Whether speaking/ reasoned:	Yes/No
Whether Reportable:	Yes/No