

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

202

CRM-M-2953-2021
Date of decision: 11.06.2021

Gurinderjit Kaur

.....Petitioner

versus

State of Punjab

....Respondent

CORAM: Hon'ble Mr. Justice Girish Agnihotri

Present: Mr. Karanjit Singh, Advocate for the petitioner.

Mr. H.S. Sitta, Assistant AG, Punjab.

Mr. Ashwani Prashar, Advocate for the complainant.

GIRISH AGNIHOTRI, J. (Oral)

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

Petitioner-Gurinderjit Kaur, stated to be aged 42 years, has filed the present petition *inter alia* with a prayer for grant of anticipatory bail to the petitioner in case FIR No.11 dated 18.02.2020 (Annexure P-1), registered under Sections 409, 420 & 120-B of Indian Penal Code and offences under Sections 419, 465, 467, 468, 471 & 477-A of IPC read with Section 13 of Prevention of Corruption Act read with Section 66/66D of IT Act added later on, at Police Station Tarsikka, District Amritsar.

Learned counsel for the petitioner by making reference to the pleadings in the petition, submits that the petitioner is not named in the FIR and her name has been added merely because she is wife of Sukhbir Singh

(co-accused). Counsel then submits that all the immovable properties in her name have already been attached by the concerned Assistant Registrar in favour of the Bank.

Records of the case show that vide order dated 27.01.2021, this Court had recorded that the State counsel had sought time to file the status report. Thereafter the case was adjourned on the dates which is a matter of record.

Learned counsel appearing for the complainant (The Amritsar Central Co-operative Bank) submits that in fact the petitioner is the known signatory of M/s Sandhu Trading Company, where huge amount (approximately Rs.1,44,00,000/-) was transacted under her signatures. He further submits that in the meantime, the petitioner has evaded arrest and was declared proclaimed offender on 03.06.2021.

Learned State counsel, on the basis of affidavit of DSP Jogeshwar Singh Goraya, Vigilance Bureau, Amritsar, submits that the supplementary challan has been presented on 12.02.2021. There are total 148 witnesses and out of them none has been examined till date. Learned State counsel does not dispute the factual position, however, opposes the bail on merits.

Faced with the situation, learned counsel for the petitioner submits that four co-accused including husband of the petitioner-namely Sukhbir Singh, are already behind bars since last approximately one year. He further submits that all the properties which were either jointly owned, separately owned by Sukhbir Singh or separately owned by the petitioner, have already been attached by the concerned Assistant Registrar in favour

of the Bank. He then submits that in order to show her bona fide, she would get an FDR of Rs.20,00,000/- (Rupees twenty lacs only) made in her name and deposit the same with the Investigating Officer who may further deposit the said FDR with the trial Court, which shall remain as security till further orders of the trial Court. It is submitted that the said offer shall be without prejudice to the defence of the petitioner before the trial Court

Learned counsel for the petitioner also submits that in view of the COVID situation, detention of the petitioner in jail would be dangerous to her life.

In view of the peculiar facts noticed above and the present situation due to COVID-19, this Court deems it appropriate to direct release of the petitioner on anticipatory bail.

Accordingly, the petitioner shall join investigation and would come present as and when called for and in the event of arrest, the petitioner shall be admitted to interim bail on her furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer. The petitioner shall also abide by the conditions as specified under Section 438(2) Cr.P.C.

In addition to the above said bail/surety bonds, in pursuance to the offer made by counsel for the petitioner, the petitioner would get an FDR of Rs.20,00,000/- (Rupees twenty lacs only) made in her name and deposit the same with the Investigating Officer (within **one week** from the date of receipt of certified copy of this order), who may further deposit the said FDR with the trial Court, which shall remain as security till further orders of the trial Court. The above said offer shall be without prejudice to the

defence of the petitioner before the trial Court.

However, it is made clear that anything observed herein shall not be construed as an expression on merits of the case.

Accordingly, the present petition stands disposed of.

(GIRISH AGNIHOTRI)
JUDGE

11.06.2021
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Whether speaking/ reasoned:	Yes/No
Whether Reportable:	Yes/No