

CRM-M-43146-2021

Date of Decision : 12.10.2021

Jyoti

...Petitioner

Versus

State of Punjab

....Respondent

Coram : Hon'ble Mr. Justice B.S. Walia

Present : Ms. Satpreet K. Kapila, Advocate for the petitioner(s).

B.S. Walia, J. (Oral)

[1] Prayer in the petition under Section 438 Cr.P.C. is for grant of pre-arrest bail to the petitioner in case FIR No.183 dated 24.09.2021 registered under Sections 419, 420, 465, 467, 471 and 120-B of IPC, at Police Station City Hoshiarpur Distt. Hoshiarpur.

[2] Learned counsel contends that the petitioner has been implicated in a false case as she had no role to play in the impersonation committed by Amit Kumar son of Ram Lubhaya, resident of Aslamabad, District Hoshiarpur.

[3] Notice of motion.

[4] Mr. A.A. Pathak, Addl. A.G., Punjab, accepts notice on behalf of the respondent-State and vehemently opposes the prayer for grant of pre-arrest bail by contending that the petitioner arranged a surety of one Surjit Singh son of Mohinder Singh, resident of village

Bathrana, Distt Hoshiarpur for securing the release of her husband

Raman Batra son of Manohar Lal Batra, resident of Gali No.3, Bhagat Nagar, Model Town Hoshiarpur, in case FIR No.145 dated 12.08.2021, P.S. Haryana by identifying him as such whereas the said person was actually Amit Kumar son of Ram Lubhaya, resident of Aslamabad, District Hoshiarpur and on the Presiding Officer directing the Reader of the Court to verify the identity of the surety Surjit Singh as had been produced by the petitioner, the petitioner ran away from the Court, therefore, it is clear that the petitioner is actively involved in the commission of offence, consequentially, is not entitled to the grant of pre-arrest bail as her custodial interrogation is required to ascertain the conspiracy between her Amit Kumar as also co-accused Lumberdar Paramjit Singh son of Ram Prasad.

[5] I have considered the submissions of learned counsel for the parties.

[6] Admittedly, the petitioner produced a surety of one Surjit Singh to secure the release of her husband Raman Batra in case FIR No.145 dated 12.08.2021, P.S. Haryana whereas in fact Surjit Singh had been wrongly identified by the petitioner and Lumberdar Paramjit Singh as he was actually Amit Kumar son of Ram Lubhaya, besides, on the learned Presiding Officer directing the Reader of the Court to ascertain the identity of the surety Surjit Singh, the petitioner ran away alongwith the other identifier i.e. Lumberdar Paramjit Singh.

[7] Accordingly, in the facts and circumstances of the case, I do not find it to be a fit case to interfere with the well reasoned order passed by the learned Sessions Judge, Hoshiarpur.

[8] Dismissed.

[9] However, nothing stated herein shall be construed as an expression of opinion on the merits of the case.

(B.S. Walia)
Judge

12.10.2021
Ps-rajesh

<i>Whether speaking/ reasoned</i>	:	<i>Yes/No</i>
<i>Whether reportable</i>	:	<i>Yes/No</i>