

205

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

CRM-M-41448-2021

Date of decision:04.04.2022

AMANDEEP KAUR

...Petitioner

Versus

STATE OF PUNJAB

...Respondent

CORAM: HON'BLE MR. JUSTICE SURESHWAR THAKUR

Present: Mr. Chanchal K. Singla, Advocate with
Mr. Karan Singla, Advocate
for the petitioner.

Mr. Bhupender Beniwal, AAG, Punjab

SURESHWAR THAKUR, J. (ORAL)

1. In FIR No.172 of 25.08.2021, registered at Police Station City-II Khanna, District Ludhiana, offences constituted under Sections 420/406 of IPC, are embodied.

2. The incriminatory role, as assigned to the present bail petitioner is of hers breaching the promise of marrying the complainant one, Ravi Singh. It is alleged against the bail petitioner, that she was attached with Allahabad Bank, as a private employee for the purpose of small withdrawals, and, deposits. It is also alleged, that she was allotted Galwadi Centre by NSCS Company vide letter No. ALB/AUL/PUNJAB/APRIL-2016, and, became provided biometric device for the purpose of hers using it, through finger impression method rather for deposit(s), and, withdrawal(s) purposes. However, the biometric device concerned, as became handed over to the applicant in her capacity, as a private employee for small withdrawals, and, deposits, became abused by her through hers

transferring the deposited amount by the depositors concerned, into her account. Consequently, it is alleged, that she has caused wrongful loss to the depositors concerned, and, also caused wrongful gain(s) to herself. The wrongful loss is alleged to become comprised respectively in sums of Rs.66,000/-, Rs. 17,000/-, and, Rs.6,000/-, and, it is also alleged, that the aggrieved thereof are Ravi Singh, Swaranjit Kaur, and one, Geeta, and, of the above sums of money, obviously, the bail petitioner is alleged to cause wrongful gains to herself.

3. Leaving aside the factum of breachings of any promise of hers marrying the present bail petitioner one, Ravi Singh, rather the above factum of wrongful losses being caused, and, also wrongful gains being caused in amount detailed (supra), respectively, to the persons detailed (supra), and/or to her, does at this stage, constrain this Court to, as a pre-condition for this Court, admitting the bail petitioner to anticipatory bail, direct the bail petitioner to deposit a sum of Rs.40,000/- to the investigation officer concerned. The investigating officer concerned, after receiving the afore deposited amount, shall deposit it in the Malkhana concerned, and, upon his filing a report under Section 173 Cr.P.C., before the learned Magistrate concerned, shall thereafter deposit it, with the establishment of the learned trial Magistrate concerned. Subsequently, the disbursement of the afore deposited sum of money shall be subject to the outcome of the trial, as, becomes entered into by the learned Judicial Magistrate qua FIR (supra).

4. With the afore imposed condition being made, upon, bail petitioner, thereupon in the event of the arrest of the bail petitioner, she may not be arrested by the investigating officer concerned, however subject to

hers furnishing before him personal, and, surety bonds in a sum of Rs.25,000/- each, with an undertaking therein that, as, and when she is summoned through a written *hukamnama*, served upon her, she shall ensure her presence, and, shall render fullest cooperation to the investigating officer concerned. In addition, she shall not tamper with prosecution evidence nor shall influence the prosecution witnesses.

5. The above orders are made only for the disposal of the bail petition, and, it shall not be construed to be carrying any effect on the merits of the case, and, nor shall forbid either the complainant or the victims to enter into a lawful compromise with respect to the FIR (supra), and, thereafter, it becoming handed over to the investigating officer concerned, for his in tandem therewith, but in accordance with law, instituting a cancellation report before the learned Magistrate concerned. In the above event, the releases of the deposited sums shall be regulated by the terms of the compromise.

6. Disposed of.

7. Dasti copy.

(SURESHWAR THAKUR)
JUDGE

04.04.2022

Ithlesh

Whether speaking/reasoned:-
Whether reportable:-

Yes/No
Yes/No