

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

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CRM-M-12370-2023 (O&M)
Date of decision: 20.03.2023

Deep KiranPetitioner

Versus

State of PunjabRespondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. K.K. Goel, Advocate
for the petitioner.

Mr. Amit Rana, Sr. DAG, Punjab assisted by
ASI Jitender Kumar.

MANJARI NEHRU KAUL, J. (ORAL)

The petitioner is seeking the concession of bail under Section 439 of the Cr.P.C. in case FIR No.0004 dated 09.01.2023 lodged under Sections 406, 420, 465, 467, 468, 471 and 120-B of the IPC registered at Police Station Moti Nagar, District Police Commissionerate Ludhiana, District Ludhiana.

Learned counsel for the petitioner at the outset submits that the petitioner who is a woman and has been in custody since 09.01.2023 is similarly situated as co-accused Narpinder Singh @ Sunny who has since been extended the concession of bail by this Court vide order dated 16.03.2023. He has further submitted that totally false allegations have been levelled in the FIR in question, which has been annexed as Annexure P-1, that the petitioner while posing herself as a Judicial Magistrate had been cheating innocent people, along with co-

accused, on the pretext of providing them jobs in the police and the jail department, after extracting huge sums of money from them. It has been further submitted that the trial is unlikely to conclude in the near future as only challan stands presented and in the circumstances, her further incarceration would serve no useful purpose.

Per contra, learned State counsel while opposing the prayer and the submissions made by the counsel opposite, has *inter alia* submitted that the petitioner cannot seek parity with co-accused Narpinder Singh @ Sunny as the petitioner is the main accused in the FIR in question. The petitioner was arrested while she was, all by herself, driving a Swift Car. On being apprehended by the police, some police uniforms along with Rs.1 lakh were recovered from her car. Learned State counsel has further submitted that 02 fake appointment letters in the name of two different persons were also recovered from the dash board of her car. Learned State counsel has still further submitted that as if that was not enough, 03 cheques in the amount of Rs.11,40,000/- signed by the petitioner were produced by different persons, who had allegedly been assured of jobs in the police department by her. Learned State counsel has argued that the case in hand was registered against the petitioner while she was on bail in two other criminal cases i.e. FIR No.4 dated 07.01.2022 under Section 420 of the IPC and FIR No.34 dated 27.02.2020 under Sections 365, 341 and 506 of the IPC, in which trial is underway, and hence, it was evident that she had misused the concession of bail given in above two cases. It has also been submitted that co-accused Narpinder Singh @ Sunny is

not involved in any other criminal case like the petitioner and still further while granting bail to him it was categorically urged by his counsel as well that all the alleged money transactions had taken place at the behest of the petitioner and she was the main accused which now strangely the learned counsel was disputing. It was lastly contended that since prosecution evidence had not yet commenced, there was every likelihood that the petitioner could try to influence the witnesses and tamper with evidence.

I have heard learned counsel for the parties and perused the material placed on record.

Prima facie there are serious and specific allegations levelled against the petitioner of having duped innocent persons by extending false promises to them for getting them jobs in the police department, after posing herself as a Judicial Magistrate. In addition to the allegations levelled in the FIR in question, this Court cannot lose sight of the fact that the petitioner is also involved in two other cases of similar nature in which she admittedly is facing trial. Hence, the petitioner cannot seek parity with co-accused Narpinder Singh @ Sunny who admittedly is not involved in any other criminal case of similar nature.

In the facts and circumstances as enumerated hereinabove, this Court does not deem it fit to extend the concession of bail to the petitioner at this stage as charges are yet to be framed.

Dismissed.

However, it is made clear that anything observed

hereinabove shall not be construed to be an expression of opinion on the merits of the case.

20.03.2023

(MANJARI NEHRU KAUL)
JUDGE

Vinay

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No