

In The High Court for the States of Punjab and Haryana
At Chandigarh

CRM-M-15811-2024 (O&M)
Date of Decision:- 05.04.2024

Malkeet Kaur ... Petitioner

Versus

State of Punjab ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Naveen Bawa, Advocate for
Mr. Vishnu Dutt, Advocate, for the petitioner.

Mr. Vinay Kumar Malhotra, DAG, Punjab,
assisted by ASI Ranjit Singh.

FIR NO.	DATE	POLICE STATION	OFFENCES
143	27.12.2023	Majitha Road, District Amritsar	379-B(2), 397, 120-B, 34 IPC and Section 25 of Arms Act

GURVINDER SINGH GILL, J. (Oral)

1. The instant petition has been filed on behalf of the petitioner seeking grant of regular bail in respect of aforementioned FIR.
2. The FIR was lodged at the instance of Rohit Singh, wherein it is alleged that he and his friend Gagandeep Kumar are doing immigration work and were residing at J.K. Hotel, Majitha Road, Amritsar, where they had taken a room on rent. It is alleged that on

26.12.2023, Ravinder Singh @ Rinki accompanied by his friend also came there. Since the complainant and Gagandeep Kumar were carrying lot of money, aforesaid Ravinder Singh @ Rinki and his companions were made to occupy another room i.e. Room No.406, while the complainant was lodged in Room No.208. It is alleged that at about 10:30 A.M. Ravinder Singh @ Rinki came to their room and told the complainant that some more persons have been sent by his brother Jatinder Kumar and that the money collected is to be counted. The complainant informed Ravinder Singh @ Rinki that the entire money has not been collected, upon which Ravinder Singh @ Rinki said that since the flight is at 11:00 P.M., the complainant should collect the entire payment of Rs.16.50 lakhs by 05:00 P.M. and that they shall check the said amount and then give the visa and the tickets. It is further alleged that at about 06:45 P.M. Ravinder Singh @ Rinki came to the room of the complainant accompanied by three unknown persons, who asked them to get the amount checked, upon which the complainant handed over the bag. It is alleged that the said three persons took out pistols and gave blows with butts of the same to complainant and his friend and locked them in a bathroom and threatened to kill them and took away the bag containing the amount. It is further the case of prosecution that subsequently Ravinder Singh @ Rinki was arrested and during the course of interrogation, he nominated Malkit Kaur also to be their associate. Upon arrest of said Malkit Kaur, she disclosed that she had made a call to Harvinder Singh @ Pinki @ Herry @ Raman informing him that she and Gurpreet Singh had to receive a substantial amount in Amritsar and

she (Malkit Kaur) suggested to Harvinder Singh @ Pinki @ Herry @ Raman that he should arrange for sending some persons so as to snatch the said money, which could later on be shared by them and they would become rich. Upon arrest of Harvinder Singh @ Pinki @ Herry @ Raman, he disclosed that the pistols used by them had been supplied to them by Bikramjeet Singh.

3. Learned counsel for the petitioner submits that the petitioner is nowhere named in the FIR and came to be nominated as an accused on the basis of disclosure statement made by co-accused Ravinder Singh and that such like disclosure statement would not carry any evidentiary value particularly when there is no other evidence to connect the petitioner with the alleged offences. It is alleged that the petitioner has been behind bars since the last 90 days and that the petitioner otherwise enjoys a clean record.
4. Opposing the petition, learned State counsel submits that since the petitioner came to be nominated specifically by the co-accused, her complicity is clearly evident. Learned State counsel has however, informed that despite a period of 90 days having elapsed, challan has not been presented as of now. It has also been informed that the petitioner otherwise is not involved in any other case.
5. This Court has considered the rival submissions.
6. Without commenting anything as regards the veracity of the prosecution case, but having regard to the fact that the petitioner is a lady and has been behind bars for a substantial period of 90 days and enjoys a clean record, further detention would not be justified. The

petition, as such, is accepted and the petitioner is ordered to be released on regular bail on her furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

05.04.2024

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(GURVINDER SINGH GILL)

JUDGE

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