



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

224

CRM-M-52751-2024(O&M)
Date of Decision: 16.12.2024

SONI

....Petitioner

VERSUS

STATE OF PUNJAB

....Respondent

CORAM : HON'BLE MRS. JUSTICE MANISHA BATRA

Present : Mr. Ghulam Nabi Malik, Advocate for the petitioner.
Mr. Amandeep Singh Samra, AAG, Punjab.

MANISHA BATRA, J. (Oral)

The instant petition has been filed by the petitioner seeking concession of regular bail in case arising out of FIR No.0178 dated 12.12.2023, under Sections 419, 420, 467, 468, 471 of IPC at Police Station Focal Point, Ludhiana.

2. As per prosecution case, one Gaurav Sharma while claiming himself to be Business Development Manager of Tata Steel approached the company of complainant Kamaljit Bhatia named as KMRA Associates, making offer for supplying steel material and shared the quotation for that purpose. A deal was struck for purchase of steel material through above named Gaurav Sharma. He generated a tax invoice on 11.12.2023 in favour of the company of the complainant and induced the complainant to disburse 25% of the amount of the material to be purchased by the company in a bank account, the details of which were mentioned in the tax invoice itself. On



being so induced, the company of the complainant deposited an amount of Rs. of 20,98,681/- in the bank account shown in the tax invoice itself. Subsequently, it was revealed that the company was duped of the aforementioned amount as the bank amount mentioned in the tax invoice was in the name of one Vishav jeet and did not belong to Tata Steel Company.

3. After registration of FIR, investigation proceedings were initiated. It was revealed that the accused Gaurav Sharma and Vishav jeet in connivance with the present petitioner and co-accused Preena and Sadhna Dutt got prepared Adhaar card of the latter on some fake addresses, got opened bank accounts in their names on fake addresses and the money extracted from the company of the complainant was transferred in the bank account of the petitioner and co-accused in lieu of some commission to be received by them. The petitioner was arrested on 07.01.2024. Investigation now stands completed.

4. It is argued by learned counsel for the petitioner that she has been falsely implicated in this case. Trial is likely to take time. Co-accused Vivek and Vikas have been given benefit of bail and on parity, she too deserves to be released on bail.

5. Status report has been filed by respondent-State. It is argued by learned State counsel that there are serious allegations against the petitioner and in view of the same, she does not deserve to be released on bail.



6. I have heard learned counsel for the parties at considerable length and have gone through the record carefully.

7. The petitioner in connivance with the co-accused is alleged to have got prepared Adhaar cards in her name by updating false information and by mentioning false addresses and is further alleged to have got opened online bank accounts on the basis of false information. She is also alleged to have provided that bank account to the co-accused who used the same for utilizing the money extracted from the company of the complainant. The subject offences are triable by learned Magistrate. The petitioner is in custody since 07.01.2024. Trial is likely to take time to conclude. The co-accused Vivek whose case is on similar footing has since been extended benefit of bail. No useful purpose would be served by detaining the petitioner in custody any more. It is well settled proposition of law that bail is the rule and jail is an exception. Keeping in view the above discussed facts but without commenting on the merits thereof, the petition is allowed and the petitioner is allowed to be released on bail subject to his furnishing personal/surety bonds to the satisfaction of the Chief Judicial Magistrate/ Duty Magistrate concerned.

8. Since the main petition has been allowed, pending application, if any, is rendered infructuous.

(MANISHA BATRA)
JUDGE

16.12.2024

Deepak Patwal

1. Whether speaking/reasoned : Yes/No
2. Whether reportable : Yes/No