



CRM-M-35922-2024

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

CRM-M-35922-2024

Date of Decision: 03.04.2025

Prabhjot Kaur @ Muskan

..... Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Baljinder Singh, Advocate, for the petitioner.

Mr. J.S. Arora, DAG, Punjab.

Rajesh Bhardwaj, J. (ORAL)

1. Petitioner has approached this Court by way of present petition praying for granting regular bail in case FIR No.91 dated 22.04.2024 under Sections 420, 467, 468, 471 IPC, registered at Police Station Mataur, District SAS Nagar, Mohali.

2. Succinctly, facts of the case are that the FIR in the present case was registered on the statement of complainant Suman Rani daughter of Ram Singh. It was alleged that the complainant and her uncle kept Prabhjot Kaur (Muskan) (petitioner) as their tenant. She projected herself to be knowing one Amandeep Singh, who allegedly employed in District Court Complex, Mohali. Prabhjot Kaur (Muskan) told them that Amandeep Singh could get the persons recruited in District Courts, Mohali. Trusting Prabhjot Kaur (Muskan), Harwinder Singh relative of the complainant, transferred Rs.60,000/- for getting his nephew Satinder Singh recruited via Google Pay on the number provided by Prabhjot Kaur (Muskan). Thereafter, an amount of Rs.4,52,000/- was also transferred online at different times on the number provided by Prabhjot Kaur (Muskan). Pre-joining letters in the names of different persons were given by Prabhjot Kaur (Muskan) and they were assured that joining letters will be issued on 01.05.2024. However, despite



repeated requests, no joining letters were given. Prabhjot Kaur (Muskan) told them that she works with Jaspal Singh Dappar, Advocate, however, on enquiry, it was found to be false. The complainant side found themselves to be cheated. Request was made to take legal action against the accused. On the registration of the FIR, the investigation commenced. The petitioner was arrested on 29.04.2024. The petitioner approached the Court of learned Additional Sessions Judge, SAS Nagar praying for grant of regular bail. However, after hearing both the sides, the learned Court finding no merit in the same, dismissed the bail application filed by the petitioner vide order dated 11.07.2024. Hence, the petitioner has approached this Court praying for grant of bail by way of filing the present petition.

3. It has been vehemently contended by learned counsel for the petitioner that the petitioner was admittedly the tenant of the complainant. It is submitted that it was not on the saying of the petitioner, but on the saying of one Gurjant Singh that the complainant transferred the alleged amount. It is submitted that the petitioner has been falsely roped in the present case. He has submitted that the petitioner has no criminal antecedents. He submits that the petitioner is behind bars from the last more than eleven months, however, there is no progress in the trial as still the charges have been framed. He, thus, submits that the petitioner deserves to be granted bail.

4. Per contra, learned State counsel has opposed the submissions made by counsel for the petitioner. He has submitted that the petitioner is the kingpin on whose asking the complainant transferred the amount of Rs.4,52,500/- in the account which was told by the petitioner. He submits that during the investigation, sufficient material found against the petitioner.



He has submitted that challan has been presented and charges have been framed, however, out of total 10 prosecution witnesses, none has been examined so far. He has placed on record the custody certificate of the petitioner.

5. After hearing counsel for the parties and perusing the record, it is inferred that the petitioner was arrested on 29.04.2024. This Court refrains itself from going into deciding the veracity of the allegations and counter allegations as made by both the sides, as the same would lie in the domain of the trial Court. Challan in the present case has been presented and charges have also been framed. However, no witness has been examined out of total 10 prosecution witnesses. The custody certificate would reflect that he has suffered incarceration of 11 months & 04 days as on 02.04.2025. It further reflects that the petitioner is not involved in any other case.

6. The trial of the case will take sufficient long time. Keeping in view the arguments raised by both the sides and perusing the record, this Court is of the opinion that learned counsel for the petitioner succeeds in making out a case for grant of regular bail to the petitioner.

7. Accordingly, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of the concerned trial Court/Duty Magistrate.

8. Nothing said herein shall be treated as an expression of opinion on the merits of the case.

03.04.2025
sharmila

Whether Speaking/Reasoned : Yes/No
Whether Reportable : Yes/No

(RAJESH BHARDWAJ)
JUDGE