

**IN THE COURT OF SHRI VARUN NAGPAL,
ADDL. SESSIONS JUDGE, JALANDHAR (PB00204)**

CIS No.	BA/2968/2021
CNR No.	PBJL010074982021
Date of Instt.	13.07.2021
Date of Order	19.07.2021

Aditi Kohli, aged about 39 years wife of Shri Navjot Kohli, resident of H.No.1422, Ist Floor, Phase-I, Near Durga Mandir, Model Town, Bathinda.

....Applicant/accused

Versus

Rajdeep Singh son of Shri Hardeep Singh, resident of H.No.465, Mota Singh Nagar, Jalandhar.

.....Respondent/Complainant.

Criminal Complaint bearing Case No.COMI/502/2017
Decided on 17.01.2018

[First Application for Bail U/s 438 of Cr.P.C.]

Present: Shri S.S.Dhaliwal, Advocate for the applicant/accused.
None for the respondent/complainant.

B A I L O R D E R :-

1. This order of mine shall dispose of the application for bail under Section 438 Cr.P.C. of the applicant/accused Aditi Kohli in Criminal complaint case bearing Case No.COMI/502/2017 titled as "**Rajdeep Singh Vs Aditi Kohli & another**" decided on 17.01.2018 by the Court of Shri Hem Amrit Mahi, JMIC, Jalandhar in which

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applicant/accused and her co-accused have been summoned under Sections 420/120-B of IPC and due to non-appearance of applicant/accused, she has been declared proclaimed offender and file has been consigned to the record room.

2. Notice of bail application was issued to complainant but complainant has not been served.

3. Briefly stated the facts of the complainant are that complainant Rajdeep Singh has filed an application under Section 340 Cr.P.C. for initiating the enquiry against respondents namely Aditi Kohli and her husband Navjot Kohli and for filing a complaint against them and further to summon, try and punish the respondents according to law. It is alleged in the application that respondents had approached the complainant and his brother Gurpreet Singh for financial assistance and assured to return the amount in time. Relying upon the assurance of the respondents, complainant parted with the amount and gave the same to the respondents. The respondents in order to repay the amount issued cheques in favour of complainant and his brother with the assurance the same would be honoured, but the same were dishonoured. Upon dishonouring of cheques, complainant and his brother filed complaints under Section 138 of Negotiable Instrument Act against respondents and during pendency of said complaints, the respondents entered into an agreement and as per compromise, respondents issued 36 post dated cheques, in favour of complainant and his brother. Initially some of the

cheques were honoured, but later on most of the cheques were not honoured. Hence, the complaint. In support of his complaint, complainant examined Gurpreet Singh, Clerk, Judicial Record Room, Jalandhar as CW-1 and himself stepped into the witness box as CW-2 and closed his evidence. After hearing learned counsel for complainant and going through the record, the learned trial Court summoned the applicant/accused Aditi Kohli and her co-accused Navjot Kohli to face trial under Section 420-/120-B of IPC vide order dated 23.08.2017. But despite issuance of process, applicant/accused and her co-accused did not appear and eventually, they have been declared proclaimed offender vide order dated 17.01.2018.

4. Learned counsel for the applicant/accused has submitted that the allegations are false and frivolous. The applicant/accused has not committed any offence as alleged. The applicant/accused further undertakes that she will abide by all the terms and conditions imposed by the Court, while granting bail to him. Accordingly, under these circumstances, it has been prayed that the bail application of the applicant/accused be allowed.

5. Lower Court record has been received. As per the Lower Court Record produced, it reveals that applicant/accused Aditi Kohli and her co-accused Navjot Kohli have been summoned in the present case, vide order dated 23.08.2017 to face trial under Sections 420/120-B of IPC on an application u/s 340 Cr.P.C. moved by the complainant. The accused

has been summoned in a complaint case. The averments of the complaint are yet to be proved by way of evidence. No custodial interrogation of the accused is required in the complaint case. The applicant/accused undertakes to appear before the learned Trial Court on each and every date of hearing. Consequently, in view of the discussion made above, the bail application in hand is hereby **Allowed** and the applicant/accused Ms.Aditi Kohli is granted 15 days time from today to surrender in the Ld. Trial Court/Duty Magistrate and on his doing so, learned Trial Court/Duty Magistrate shall admit the applicant-accused Aditi Kohli on bail to its satisfaction.

6. Lower Court record be returned immediately along with copy of this order. Record of this bail application be consigned to the Sessions Court record room after due compliance.

Pronounced on:

Dt:19.07.2021

Onkar Chand JW(SG)

(Varun Nagpal)

Addl. Sessions Judge,Jalandhar

(UID No. PB00204)

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