

N THE COURT OF SH.H.S. GREWAL
ADDITIONAL SESSIONS JUDGE PATIALA

Filing No. BA3100 of 2022
CNR No. PBPT01-0097862022
Date of Order:19.9.2022

Jasvir Kaur, aged 60 years, wife of Sh.Harjinder Singh, resident of Ward No.3, Village Ghagga, Tehsil Samana District Patiala.

....Applicant

Vs.

1. State of Punjab.
2. SHO/I.O/Arresting Officer of Police Station Ghagga, District Patiala.

....Respondents.

Application for bail u/s 438 Cr.P.C

Present: Sh.Sandeep Kumar, advocate, counsel for the applicant.
Sh. Sumit Malhotra, Ld. Addl. PP for the State

ORDER

1. This order of mine shall dispose of an application for anticipatory bail filed by the applicant U/s 438 Cr.P.C, in FIR No.61 dated 7.9.2022 under section 420,406,120-B,506 IPC, P.S.Ghagga, District Patiala.

2. In pursuance of notice of the application having been issued, the learned Addl.PP for the respondent-State has put in appearance. Record produced by ASI Balwinder Kumar. Report of Ahlmad has been perused, as per report of Ahlmad, no application filed by the applicant is pending nor any application has been decided by the Hon'ble High Court. Learned Addl.PP for the State has also rendered the assistance that as per investigating officer, no application filed on behalf of applicant is pending or has been decided by any court of law till date.

3. Learned counsel for applicant has vehemently argued that the

applicant alongwith her husband has been falsely implicated in a criminal case on the basis of FIR which has been lodged by Gagandeep Singh qua the alleged demand of Rs.4Lacs. As per the complainant, out of the said amount, Rs.2Lac has been allegedly paid to the applicant. He has urged that as per the contents of the FIR, the complainant had allegedly approached the accused for regularization of his service, but as per him, the matter has been put off on one pretext or another. In actual after the change of the government in the State of Punjab, as the applicant was President of Nagar Panchayat Ghagga, she was being harassed. Even writ petition had been filed in the Hon'ble High Court. Applicant is ready to abide by the directions if any imposed by the Court. The present application be allowed.

4. On the other hand, learned Addl.PP for State has hotly opposed the contentions and has argued that complainant Gagandeep Singh had lodged the FIR against the applicant and her husband, as for getting him regularized, a demand was put forth qua the sum of Rs.4Lac. Out of which, Rs.2Lac had been paid, which were received by the applicant and she handed over the said amount to her husband. Even the telephonic conversation has been recorded and during the inquiry the complainant had identified the persons speaking during the said conversation. The application for bail be dismissed.

5. After giving my thoughtful consideration to the rival submissions and on careful perusal of the averments put in the application, the contents of the FIR, record produced by ASI Balwinder Kumar, coupled with due assistance rendered, it is worth taking judicial notice of the fact that FIR has been lodged by Gagandeep Singh against

the applicant Jasbir Kaur and her husband Harjinder Singh, qua the allegations that for getting him regularized, a demand had been made for a sum of Rs.4Lac. The complainant has further made mention that a sum of Rs.2Lac had been allegedly paid to the applicant on 10.2.2020, who further handed over the said sum to her husband. Even the conversation which took place had been recorded, further during inquiry the complainant having identified the persons talking during the said conversation. Thus, taking into note the grave and serious allegations qua the illegal gratification and a sum of Rs.2Lac having been allegedly received by the applicant. Hence, in order to facilitate the through and fair investigation and to unearth the complete truth, rather the custodial interrogation of applicant is inevitable. Hence, application being bereft of any substance, is hereby dismissed. Police record has been returned. Bail application file be consigned to the record room.

Pronounced
September 19th 2022

(H.S. Grewal)(PB0081)
Additional Sessions Judge,
Patiala.

Typed by Seema Rani
Stenographer Gr. II