

CNR No. PBPO0100 000665 2022
BA/174/2022

FIR No 124 dated 27.07.2021
Under Sections 420, 409, 120-B IPC
P.S.Division No.2 Pathankot

Ashok Kumari @ Sadhna vs State

First bail application under Section 439 of Cr.P.C.

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Present:- Shri Nitin Dogra Advocate for counsel applicant-accused.
Shri Vivek Puri Additional Public Prosecutor for the State

ORDER

1. My this order will dispose of bail application under Section 439 of the Cr.PC submitted on behalf of applicant/accused Ashok Kumari alias Sadha wife of Raman Kumar resident of Mohalla Ambedkar Nagar, Bhadroya Road, Tehsil and District Pathankot.

2. Notice of the bail application was given to the State.

3. The brief facts of the case are that FIR was recorded on the statement of Sashi Kapoor to the effect that both Sadhna and her husband Raman are agents of Post Office and they after opening the RD, FDR of the people, used to deposit the money. He also opened two RDs in the name of his wife Rama Kapoor out of which one RD

was matured/closed in the month of July 2020 and entry in this regard was made by them in their own hands and the total amount of same was Rs.7,46,507/-. Raman Kumar used to collect the amount of installments of second RD from him by visiting his house and in this regard he asked many times to Raman Kumar to provide him the copies of the RD but he lingers the matter on one pretext or the other. When he went to post office, he came to know that Raman Kumar has not deposited the amount in their RD and has misappropriated the amount and thus cheated them to the tune of Rs.12,53,000/-. During the investigation it was found that accused have also cheated different persons to the tune of Rs.1,01,32,600/-. The offence was made out under section 420, 409, 120-B IPC.

4. I have heard Learned counsel for applicant-accused, learned Additional Public Prosecutor for the State and perused the record.

5. Learned counsel for the accused/ applicant argued that accused/applicant has been falsely implicated and he is innocent. The challan has been presented in the court on 25.10.2021 and charge sheet has been framed against the accused/ applicant. The accused/ applicant has two minor children who are residing with their aunt since she is in custody. The accused/ applicant is in custody since 27.07.2021. He prayed for concession of regular bail.

6. On the other hand learned Additional Public Prosecutor for the State contested the bail application on the ground that accused/ applicant has cheated the complainant and persons by receiving huge amount. He prayed for dismissal of the bail application.

7. After considering the rival contentions of Ld. Counsel for the applicant and Ld.APP for the State, the allegations against applicant are that she by hatching conspiracy with her husband Raman Kumar cheated the complainant and his wife to the tune of Rs.12,53,000/- by receiving the amount for depositing the same in the RD belonging to the wife of the complainant and also cheated the different persons for huge amount of Rs.1,01,32,600/-. There is specific allegations against the accused/applicant. No ground is made out to grant the concession of regular bail to the accused/ applicant. If the applicant-accused is released on bail, she can dissuade the prosecution witnesses from their true testimony. Therefore the bail application is dismissed. Copy of this order be sent to the quarter concerned for information. Bail application file be consigned to the records.

(Avtar Singh)
Additional Sessions Judge-I
Pathankot/UID No-PB0086

Date of Order: 17.03.2022

(Sawtanter Kumar)
Stenographer-II

“I attest the accuracy and authenticity of this document.”