

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

CRM No.M-11407 of 2015

Date of decision: 23.04.2015

Kusum Bansal

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. Sunil Panwar, Advocate for the petitioner.

Mr. Ashok Kumar, DAG, Haryana
for the State.

Jitendra Chauhan, J. (Oral)

By filing the present petition under Section 439 of the Code of Criminal Procedure, the petitioner has sought regular bail in case FIR No.949, dated 31.10.2014, registered under Sections 420 and 406 of the Indian Penal Code (for short, 'IPC'), (Section 420 IPC was later on deleted), at Police Station Sector 5, Gurgaon.

It is contended that the petitioner who is a senior citizen has been falsely implicated in the present case projecting herself to be the organizer of kitty parties, lucky draw and running a business in the name and style of Ambay Lucky Draw. The FIR was registered under Section 420 and 406 IPC, however, during the investigation,

Section 420 IPC stands deleted. The challan has been filed under Section 406 IPC. The petitioner is in custody since 01.11.2014 in a magisterial trial.

On the other hand, the learned State counsel, submits that the petitioner has been running a lottery business and has embezzled a huge amount from the public. The challan stands presented. Out of thirteen witnesses, 02 have been examined so far.

Heard.

Considering the fact of the petitioner being a senior citizen and it being a magisterial trial; out of total thirteen witnesses, only 02 witnesses have been examined so far, therefore, it can be safely inferred that the trial is not likely to be concluded in the near future, without adverting to the merits of the instant case, this petition is allowed. The petitioner be admitted to bail during the pendency of the trial, subject to her furnishing bail bonds and surety bonds, to the satisfaction of the trial Court.

23.04.2015

ashok

(JITENDRA CHAUHAN)
JUDGE