

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

CRM-M No.31138 of 2015 (O&M)

Date of decision: 17th September, 2015

Balraj Kaur and another

... Petitioners

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH

1. Whether Reporters of Local Newspapers may be allowed to see the judgment?
2. Whether to be referred to the Reporters or not?
3. Whether the judgment should be reported in the Digest?

Present: Mr. Veneet Sharma, Advocate for the petitioners.

Mr. J.S. Brar, Asstt. Advocate General, Punjab.

FATEH DEEP SINGH, J. (ORAL)

Allegations against the petitioners Balraj Kaur and Sukhraj Kaur alias Rimpi in this petition filed under Section 439 Cr.P.C. seeking regular bail in case FIR No.149 dated 07.08.2015 registered at Police Station Navi Baradari, Jalandhar under Sections 420/465/467/468/471/120B IPC, are that at the time of submitting of bail bonds and surety bonds on their behalf while they were in custody in case FIR bearing No.77 dated 23.05.2015 under Section 21 of the Narcotic Drugs and Psychotropic Substances Act, 1985 pertaining to Police Station Maqsudan, District Jalandhar, their supporters have

tendered the bonds which were accompanied by forged and fabricated jama bandi in support of their case for soundness of the sureties.

Learned counsel for the petitioners has laid dual attack, firstly on the ground as to the maintainability of the State case being a non-cognizable offence and the fact that the petitioners are in custody since 21.07.2015.

Though the bail application is stoutly opposed by learned State counsel, however, keeping in view that a debatable issue has arisen regarding maintainability and that there is sufficient incarceration of both the petitioners and culpability, if any, shall be determined at the time of trial together with the fact that the trial will take a long time to conclude, this Court without going into the merits of the case, is of the opinion that no useful purpose will be served by keeping the petitioners in custody in the present case. Accordingly, they are ordered to be released on regular bail to the satisfaction of trial Court.

The present petition stands disposed off accordingly.

(FATEH DEEP SINGH)
JUDGE

September 17, 2015
rps