

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

235

CRM-M-37004-2015

Date of Decision: February 10, 2016

BABLEEN KAUR

.....PETITIONER

VERSUS

STATE OF HARYANA

.....RESPONDENT

CORAM:- HON'BLE MR. JUSTICE M.M.S.BEDI

Present: Mr.Anmol Rattan Sidhu, Sr. Advocate
with Mr.Pratham Sethi, Advocate for the petitioner.

Mr.Vikas Malik, DAG, Haryana.

Mr.Pardeep Bajaj, Advocate for the complainant.

M.M.S.BEDI, J.(Oral)

Petitioner has been in custody w.e.f. 28.5.2015. She has filed an application for grant of regular bail prior to the presentation of challan which was dismissed on 27.7.2015. The allegation against the petitioner is that while she was working with M/s Inter Globe Technologies Private Limited from 28.5.2012 to November 2012, she had fraudulently misappropriated the refund payments in favour of the company. It is an admitted fact that she had left her job in November, 2012 but the FIR was registered on 10.4.2015.

Counsel for the complainant has intervened to oppose the bail application contending that petitioner has misappropriated a sum of Rs.12,75,000/-. Her husband has not yet been arrested.

I have heard counsel for the petitioner, counsel for the complainant and the State counsel and considered the facts and circumstances of the case. Challan has already been presented. The petitioner has been in custody w.e.f. 28.5.2015. The trial is likely to take a long time. Merely because the prosecution agency has not been able to arrest her husband, she can not be denied bail as a penalty.

The petition is allowed. The petitioner is ordered to be released on bail on her furnishing bail bond and surety bond to the satisfaction of the trial Court without prejudice to the rights of the complainant to effect recovery in accordance with law, if permissible.

**(M.M.S.BEDI)
JUDGE**

February 10, 2016