

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

CRM-M-39958-2016

Date of decision: November 15, 2016

Varinder Kaur

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Navdeep S. Brar, Advocate
for the petitioner.

Mr. A.S. Sidhu, AAG, Punjab
for the respondent-State.

JASPAL SINGH, J.(ORAL)

By virtue of the instant petition preferred under Section 439 of Code of Criminal Procedure, petitioner has sought the concession of bail, pending trial, in case bearing FIR No.131 dated 12.09.2016, under Sections 420, 465, 468, 471, 120-B of Indian Penal Code, registered at Police Station Sadar Fazilka, District Fazilka.

Concededly, petitioner has been arrested in this case on 20th September, 2016. After subjecting her custodial interrogation, she was remanded to judicial custody, meaning thereby, she was not required by the police for further interrogation.

During the course of arguments, it was asked from the Investigating Officer as to what evidence has been collected against the petitioner pending investigation but he could not explain satisfactorily except that there is a statement got recorded by three witnesses that the amount of Rs.6,70,000/- was paid in their presence. To the utter surprise, no effort has been made by the Investigating Agency so far to collect the

account statement of the petitioner as to whether any such amount has been deposited by her in her account or has been utilized anywhere. Even otherwise, no amount has been recovered during the process of custodial interrogation of the petitioner who is languishing in jail since the date of her arrest i.e. 20th September, 2016. Conclusion of the investigation and presentation of challan would also take sufficient long time. Thus, this Court is of the considered view that no useful purpose would be served by keeping the petitioner behind the bars for an indefinite period.

In the light of the facts which had been discussed above, this Court is of the view that petitioner deserves the concession of bail. Accordingly, petition is allowed and she is ordered to be released on her furnishing bail on his furnishing requisite bail/surety bond(s) as per the satisfaction of concerned Trial Court/Duty Magistrate.

November 15, 2016
m. sharma

(JASPAL SINGH)
JUDGE

Whether Speaking/Reasoned

Yes/No

Whether Reportable

Yes/No