

Sr. No. 225

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

**CRM No. M-4076 of 2016 (O&M)
Date of Decision: 28.04.2016**

Monika Malik

...Petitioner

Versus

State of Punjab

... Respondent

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA

Present:- Mr. Naveen Sharma, Advocate,
for the petitioner.

Ms. Anmol Grewal, AAG, Punjab.

Mr. Jagpal Singh, Advocate,
for the complainant.

TEJINDER SINGH DHINDSA. J (ORAL)

Petitioner seeks benefit of regular bail pending trial in case FIR No.72 dated 14.04.2015, under Sections 406/420/342/506/120B of Indian Penal Code, registered at Police Station Machiwara, Police District Khanna, District Ludhiana.

FIR came to be lodged on the statement of Dalwinder Singh with the allegations that the present petitioner along with co-accused, namely, Gurjinder Singh, Aman, Amaninder and Sumit Malik have duped the complainant on the pretext of sending his son Harmanpreet to Canada.

As per complainant's version, the deal was struck for Rs.23 lacs and out of which Rs.10 lacs was paid.

Petitioner was arrested on 06.10.2015.

Reading of the FIR would reveal that there is no specific entrustment of money to the present petitioner.

Be that as it may, investigation in the case has been completed and the challan stands presented qua the present petitioner on 07.01.2016. Charges are yet to be framed. The trial as such would take time to conclude.

Offences are triable by the Court of Magistrate.

Even though the present petition has been opposed on the ground that the petitioner is a habitual offender and is involved in three other FIRs raising similar allegations yet it has gone uncontroverted that the petitioner has been granted bail in each of these cases.

Without making any observations on merits and keeping in view the length of incarceration already suffered by the petitioner and being a lady she is held entitled to the benefit of bail.

Petition is allowed. Petitioner be enlarged on bail subject to satisfaction of the Chief Judicial Magistrate/Duty Magistrate, Ludhiana.

Disposed of.

28.04.2016

vandana

**(TEJINDER SINGH DHINDSA)
JUDGE**