

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-21129-2017

Date of decision: June 23, 2017.

Sushila Malik

... **Petitioner**

v.

State of Haryana

... **Respondent**

CORAM: **HON'BLE MR. JUSTICE A.B. CHAUDHARI**

Present: Shri Jangjit Singh Dahiya, Advocate for the petitioner.

Ms. Tanushree Gupta, Deputy Advocate General, Haryana.

A.B. Chaudhari, J. (Oral):

Heard learned Counsel for the rival parties. In FIR No.174 dated 3.3.2013, under Sections 420, 467, 468, 471, 120-B IPC, registered at Police Station City Jind since 18.3.2013 and is in jail since. Undoubtedly, the fraud/embezzlement alleged against the petitioner is stated to be in the sum of Rs.8 crores and odd whereas according to Learned Counsel for the petitioner, the suit is filed for Rs.1.65 crores.

Be that as it may, looking to the fact that the petitioner was arrested on 18.3.2013 and is in jail since then and the fact that the case is triable by the Magistrate, it would be appropriate to release the petitioner on bail and that too for one more reason that she is a woman and is entitled to benefit of Section 437 Cr.P.C. The witnesses to be examined are large in number and the petitioner cannot be kept in custody ad infinitum. I think the period spent by the petitioner in jail is good enough to grant her regular bail. It is also necessary to have attachment of the properties of the petitioner and her husband and all the accused persons in the FIR.

In the result, I make the following order:-

ORDER

- (i) CRM-M-21129-2017 is allowed;
- (ii) The petitioner is ordered to be released on bail to the satisfaction of the trial court/Duty Magistrate/CJM concerned;
- (iii) The concerned SP is directed to over-see attachment of the properties of the petitioner and her husband and all the other accused persons within one month. The report shall be submitted to this court about the attachment of the properties.

June 23, 2017.

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[A.B. Chaudhari]
Judge

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No