

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-27519 of 2017
Date of Decision: 08.08.2017

Darshpreet Kaur

....Petitioner

VERSUS

State of Punjab

....Respondent

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. G.S. Punia, Sr. Advocate with
Mr. P.S. Punia, Advocate
for the petitioner.

SURINDER GUPTA, J.(Oral)

The present petition has been filed under Section 439 Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No.29 dated 16.02.2014 registered for the offence punishable under Section 420 read with Section 120-B of Indian Penal Code (for short, "IPC") at Police Station Division no. 5 Ludhiana, District Ludhiana.

Heard.

Notice of motion.

On asking of the court, Mr. Ajay Pal Singh Gill, DAG, Punjab, Punjab, who is present in the Court accepts notice and submits that intimation by Registry informing of fixation of the petition has already been received and record of the case is available with him.

FIR was registered against the petitioner on the complaint of Baljit Singh son of Pritam Singh, wherein he has alleged that petitioner and his wife cheated him of ₹35 lacs by giving allurements to send and settle him at Canada.

Learned counsel for the petitioner submits that husband of the

petitioner, namely, Manjit Singh, with similar allegations has been released on bail vide order dated 30.04.2015 passed in CRM-M-12262-2015 and seeks bail for the petitioner on the ground of parity.

Learned State counsel submits that after completion of investigation, police has presented the challan in Court and the trial is in progress.

In view of above and applying the principle of parity of petitioner with her husband but without expressing any opinion on merits of the case and keeping in view the fact that conclusion of trial will take considerably long time, the present petition is allowed. Petitioner-Darshpreet Kaur is ordered to be released on regular bail on furnishing bail bond and surety bond to the satisfaction of concerned trial Court/Chief Judicial Magistrate/Duty Magistrate, subject to following terms:-

- (a) The petitioner shall comply with the conditions mentioned in Section 437(3) Cr.P.C.
- (b) In the event of her absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn. The trial Court shall be competent to cancel her bail bond and surety bond and proceed to procure her presence in accordance with law. In that eventuality the petitioner shall have to apply for bail afresh.
- (c) She shall not leave the country without the previous permission of the Court.

August 08, 2017
jk

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No