

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

CRM-M-16410 of 2018
Date of Decision:11.05.2018

Meenakshi JainPetitioner

Versus

State of PunjabRespondent

CORAM:HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Akshay Bhan, Sr. Advocate with
Mr. Sushant Kareer, Advocate
for the petitioner.

Mr. A.S. Dhaliwal, DAG, Punjab.

MAHABIR SINGH SINDHU, J.(Oral)

The present petition has been filed under Section 439 of the Code of Criminal Procedure (Cr.P.C.) for grant of concession of regular bail to the petitioner in case First Information Report No. 63 dated 17.02.2018, under Sections 406, 420, 465, 467, 471 and 120-B of the Indian Penal Code registered at Police Station City Sangrur.

Learned senior counsel for the petitioner submits that the petitioner is in custody since 09.02.2018. It is further contended that report under Section 173 Cr.P.C. qua the petitioner has already been submitted on 10.05.2018 and charges are yet to be framed. It is also contended that so far as the subsidy amount of Rs.8.75 lakh (P-4) is concerned the same is lying in the account No.00000037548619026 by way of FDR and the bank is having the lien thereof and the petitioner is paying the installments of the loan regularly.

The above factual position is duly acknowledged by learned State counsel on instructions from SI Baljit Singh as well as by learned counsel for the Bank, but opposed the bail on the ground that the petitioner was not eligible for loan as per Prime Minister's Employment Generation Programme (PMEGP) (P-2).

Heard learned counsel for the parties and perused the paper book.

Undisputedly, the amount of Rs.8.75 lakh as subsidy is under the lien of the Bank and the petitioner is regularly repaying the loan amount by way of installments. Whether the petitioner was eligible or not for loan under the PMEGP is a matter of evidence during trial.

In view of the fact that the petitioner being a female and is in custody since 09.02.2018 and the report under Section 173 Cr.P.C. qua the petitioner has already been submitted, the trial is likely to take a long time to be concluded and as such no useful purpose would be served by keeping the petitioner behind the bars any more.

Therefore, in view of the abovesaid circumstances, without expressing any opinion on the merits of the case, this petition is accepted. Petitioner-Meenakshi Jain be admitted to bail on her furnishing bail bonds and surety bonds to the satisfaction of the learned trial Court/Duty Magistrate.

[MAHABIR SINGH SINDHU]
JUDGE

May 11, 2018
rashmi

Whether speaking/reasoned
Whether reportable?

yes/no
yes/no