

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-19189 of 2018
Date of Decision: 11.05.2018

Kamaljit Kaur

....Petitioner

VERSUS

State of Punjab

....Respondent

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr.Kewal Singh, Advocate
for the petitioner (s).

Mr.Varinder, Advocate
for the complainant.

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.173 dated 06.12.2016 registered for offences punishable under Sections 420, 406, 120-B and 201 of Indian Penal Code (for short, "IPC") at Police Station Amloh.

Heard.

Notice of motion.

On asking of the court, Ms. Monika Jalota, DAG, 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 her.

Learned counsel for the petitioner seeks bail for the petitioner on the ground of parity with her husband, namely, Sikander Singh.

As per allegations in the FIR, the petitioner and her husband

were running a business in the name of Sikander Enterprises and Finance

and have collected money from public under various schemes, which they have embezzled and not returned.

Sikander Singh was arrested in this case on 16.09.2017 and was ordered to be released on bail by trial Court on 12.10.2017.

Keeping in view the fact that allegations against both the accused are similar and on the ground of parity, the instant petition is allowed. Petitioner-Kamaljit 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- (b) In the event of her absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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.

May 11, 2018
jk

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No