

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

**CRM No.M-2615 of 2018
Decided on: 30.01.2018**

Sharda

....Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MR JUSTICE ARVIND SINGH SANGWAN

Present : Mr. Hakamn Singh, Advocate
for the petitioner.

Mr. Himmat Singh, DAG, Haryana.

ARVIND SINGH SANGWAN, J. (Oral)

The petitioner prays for grant of regular bail under Section 439 of the Code of Criminal Procedure (in short 'Cr.P.C.') in FIR No.93 dated 08.07.2017, for offence punishable under Sections 406, 420, 120-B of the Indian Penal Code, 1860 (in short 'IPC') registered at Police Station Nathu Sarai Chopta, District Sirsa.

Counsel for the petitioner has submitted that the petitioner is a lady aged about 61 years and she is not involved in any other criminal case. It is further submitted that the petitioner was arrested on 08.07.2017 and since then, she is in judicial custody and is not required for any custodial interrogation. It is further submitted that challan has already been presented and the offences are triable by the Court of Magistrate and till date no prosecution witness has been examined. Counsel for the petitioner has further submitted that co-accused of the petitioner namely Pratima has been granted the concession of regular bail by this Court vide order dated 25.01.2018 passed in CRM-M

No.352 of 2018.

Counsel for the State, on instructions from SI Mahan Singh, has not disputed the factual position but opposed the prayer for bail on the ground that there are allegation against the petitioner having induced the complainant to pay the amount of Rs.1,50,000/- to co-accused – Raju.

Without commenting anything on merits of the case and considering the fact that the petitioner is a lady and is in judicial custody since 08.07.2017; the offences are triable by the Court of Magistrate and conclusion of the trial will take long time, the present petition is allowed and the petitioner is directed to be released on regular bail subject to furnishing her bail/surety bonds to the satisfaction of the trial Court/Illaq Magistrate/Duty Magistrate. However, it will be open for the prosecution to apply for cancellation of bail, if the petitioner is found involved misusing the concession of bail, in any manner.

(ARVIND SINGH SANGWAN)
JUDGE

30.01.2018
yakub

Whether speaking/reasoned	Yes/No
Whether reportable:	Yes/No