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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-36909-2019

Date of decision-06.09.2019

Kanchan

....Petitioner

Vs.

State of Haryana and another

...Respondents

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Pankaj Bali, Advocate for the petitioner.

Mr. Sukhdeep Parmar, DAG, Haryana assisted by
ASI Surender Singh.

Mr. Sunil K.Tandon, Advocate for the complainant.

MANOJ BAJAJ, J.

Petitioner-Kanchan has prayed for grant of regular bail in case FIR No.220 dated 10.07.2019 registered under Sections 406 and 420 of Indian Penal Code, 1860 at Police Station Parao, Ambala.

The FIR was lodged by complainant, namely, Jagjit Singh on the allegations that he had paid in all a sum of more than Rs.7,00,000/- to accused Jagjit Singh Dhillon, his wife (petitioner) and Amarjit Kaur (mother-in-law of the petitioner) for the purposes of sending Jagjit Singh abroad. The amount was paid w.e.f. May 2018 to 09.07.2018. It is submitted that neither the said promise was fulfilled nor the amount was returned upon demand. On these broad allegations, above said FIR was registered.

Learned counsel for the petitioner contends that the complainant had dealt with the husband of petitioner for the purpose of going abroad and only a sum of Rs. 95,500/- was deposited in her account that too on the different dates. Rest of the amount was paid to the co-accused persons. He submits that the petitioner was arrested on 22.08.2019 and is presently in judicial custody. According to him, she is not required for any investigation in this case. He further states that she is ready to return the said amount of Rs.95,500/- without prejudice to the rights of the petitioner.

On the other hand, learned counsel appearing on behalf of the complaint and State counsel assisted by ASI Surender Singh opposed the bail application on the ground that the husband of the petitioner is involved in other cases on similar allegations and she is also involved in all those cases. However, it is not disputed that only an amount of Rs.95,500/- was deposited in the account of the petitioner. He fairly states that her minor two year old child is also with the petitioner in the prison.

Let the petitioner deposit a sum of Rs.95,500/- before the trial Court and the same shall be released to the complainant after furnishing adequate security and the entitlement of this amount shall be decided by the trial Court at the time of final decision of the trial.

Considering the above background, custody period of the petitioner and the fact that the trial of the case is likely to consume more time, this Court does not find any valid reason to detain the petitioner any further in custody. Therefore, without meaning any expression of opinion on the merits of the case, it is ordered that the petitioner be released on regular

bail subject to her furnishing requisite bail bonds/surety bonds to the satisfaction of the trial Court, Ambala.

The petition is allowed.

(MANOJ BAJAJ)
JUDGE

06.09.2019

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Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No