

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

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CRM-M No. 37371 of 2019

Date of decision : 5.12.2019

Avneet Kaur

.....Petitioner

Vs.

State of Punjab

.....Respondent

Coram: HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present : Mr. Amit Choudhary, Advocate, for the petitioner

Ms. Amarjit Kaur Khurana, DAG, Punjab

Rajbir Sehrawat, J. (Oral)

The present petition has been filed by the petitioner under Section 439 Cr.P.C for grant of bail pending trial in case FIR No. 100 dated 24.5.2018, registered under Sections 420/120B IPC at Police Station City Moga.

It is contended by learned counsel for the petitioner that in the present case, there is no allegation that the petitioner received any amount herself. So far as the bank transaction is concerned, only amount transferred by the complainant is in the account of husband of the petitioner. It is further submitted that the petitioner is in custody since 19.5.2019. Charge has already been framed and the case is now fixed for prosecution evidence. Therefore, the petitioner is not required for any investigation purposes.

On the other hand, learned counsel for the State submits that the petitioner is habitual of the offences involved in the present case. She is facing five more cases, including the cases in other districts. However, it is not disputed that the petitioner is in custody since 19.5.2019 and that the case has been fixed for evidence of the prosecution.

In response to the arguments of the learned State counsel, learned

counsel for the petitioner submits that in those other cases, referred to by the learned State counsel, the petitioner is already on bail. She is not in custody in any other case except the present one, as on today.

In view the above, but without expressing any further opinion on the merits of the case, the present petition is allowed. The petitioner is ordered to be released on bail pending trial subject to her furnishing bail bonds/surety to the satisfaction of the Trial Court/Duty Magistrate, concerned.

(RAJBIR SEHRAWAT)
JUDGE

5.12.2019

Ashwani

Speaking/Reasoned	:	Yes/No
Reportable	:	Yes/No