

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

**CRM-M No.38254 of 2019
Decided on: 13.11.2019**

Pooja Sharma

....Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MR JUSTICE ARVIND SINGH SANGWAN

Present : Mr. Jitender Dhanda, Advocate
for the petitioner.

Mr. Deepak Grewal, 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.142 dated 04.07.2018, for offence punishable under Sections 406 and 420 of the Indian Penal Code (in short 'IPC') registered at Police Station Uklana, District Hisar.

Counsel for the petitioner has submitted that the petitioner is the wife of co-accused Rahul Sharma in whose account, the complainant has allegedly deposited the amount of Rs.10 lacs. It is further submitted that the petitioner is not involved in any other case and is a lady and has 04 years' old child to look after and there is no one in the family to take care of him. It is also submitted that even the husband of the petitioner stands arrested and he is in custody.

Counsel for the petitioner has further argued that challan stands presented and out of 23 prosecution witnesses, only 01 PW has been examined and the offences are triable by the Court of Magistrate.

Counsel for the State, on instructions from ASI Satyawar, has not disputed the factual position but opposed the prayer for bail. It is further submitted that during the investigation, Sections 467, 468, 471 and 120-B IPC has also been added in the present case.

Without commenting anything on merits of the case, considering the fact that the petitioner is not involved in any other case; she is in custody since 24.05.2019; she has 04 years' old child and there is no one in the family to take care of him; challan stands presented; only 01 PW has been examined so far out of 23 PWs and the conclusion of the trial is likely to take some time as the offences are triable by the Court of Magistrate, the present petition is allowed and the petitioner is directed to be released on regular bail subject to furnishing bail/surety bonds to the satisfaction of the trial Court/Illaq Magistrate/Duty Magistrate.

The Registry is directed to make necessary correction/addition in the headnote as well as the prayer clause of the present petition by adding the aforesaid Sections.

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

13.11.2019
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Whether speaking/reasoned	Yes/No
Whether reportable:	Yes/No