

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

**Crl. Misc. No.M-40381 of 2019 (O&M)
Date of Decision: September 26, 2019**

Baljit Kaur

.....PETITIONER

VERSUS

State of Punjab

.....RESPONDENT

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Ramesh Sharma, Advocate
for the petitioner.

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. 120 dated 05.06.2016 registered for the offences punishable under Sections 406, 420 of Indian Penal Code, at Police Station Shahkot, District Jalandhar Rural.

Heard.

Notice of motion.

On asking of the court, Mr. Avtar Singh Sandhu, Addl. A.G., 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 him.

As per case of prosecution, the petitioner in connivance with her co-accused Bhajan Kaur induced the complainant Kashmir Kaur to pay

₹9,30,000/- for sending her son to Canada. After receiving the payment,

neither son of complainant sent to Canada nor the money paid by her was returned.

The petitioner was declared as proclaimed offender in this case and was arrested on 05.07.2019. The police has presented supplementary challan against her.

Without expressing any opinion on merits of the case and keeping in view the fact that conclusion of trial will take considerably long time, the present petition is allowed. Petitioner-Baljit Kaur is ordered to be released on regular bail on her furnishing bail bond and surety bond to the satisfaction of concerned 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- b. In the event of her absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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 prior permission of the Court.

September 26, 2019

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**(SURINDER GUPTA)
JUDGE**

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No