

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

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CRM-M-40905-2019 (O&M)

DATE OF DECISION: 15.11.2019

NISHCHAL SIMMI @ SIMMI NISHCHAL ... Petitioner(s)

Versus

STATE OF PUNJAB

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. Mandeep Singh Sachdev, Advocate
for the petitioner.

Mr. K.K. Bheniwala, Addl. A.G., Punjab.

Mr. Bhupinder Kumar Gupta,
Advocate for the complainant.

ANUPINDER SINGH GREWAL, J. (ORAL)

The petitioner is seeking regular bail in FIR No.46 dated 13.04.2019, under Sections 406, 420 & 120-B IPC and Section 24 of the Immigration Act, registered at Police Station Mukerian, District Hoshiarpur.

Learned counsel for the petitioner contends that the allegations in the FIR are that the petitioner along with the co-accused Amarjit Singh had taken a sum of Rs.2,70,000/- from the complainant to send his brother to Spain but instead he was sent to Ukrain. It is also alleged that a sum of Rs.2 lakh was snatched from the brother of the complainant in Ukrain where he had been sent instead of Spain. He also contends that the petitioner was only an employee of the co-accused Amarjit Singh. She is 31 years old lady and has been blessed with a child while she was in Jail on 06.09.2019. She is in custody for over 4 ½ months.

Learned State counsel states that although charges have been framed but none of the witnesses has been examined. He also contends that money has to be recovered from the petitioner.

Learned counsel for the complainant has also opposed the grant of bail to the petitioner.

Heard.

In view of the submissions of learned counsel for the petitioner, especially when the petitioner is a lady with a new born baby, she is in custody for over 4 ½ months and the conclusion of the trial is likely to take some time, I deem it a fit case to grant the concession of regular bail to the petitioner.

Therefore, without expressing any opinion on the merits of the case, the petition is allowed. The petitioner is ordered to be released on regular bail on her furnishing requisite bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

(ANUPINDER SINGH GREWAL)
JUDGE

15.11.2019.

SwarnjitS

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