

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

**CRM-M-46995-2019
Date of decision: 08.11.2019**

Indu Singla

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

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

Mr. Deepak Grewal, DAG, Haryana.

ARVIND SINGH SANGWAN, J. (Oral)

This petition has been filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No. 641 dated 07.07.2017, registered under Section 406 IPC at Police Station City Hisar, District Hisar.

Learned counsel for the petitioner submits that the husband of the petitioner has set up a co-operative society, namely Hisar Friend Co-operative NATC Society Limited, in which the petitioner was also one of the members.

Learned counsel for the petitioner further submits that as per the allegations in the FIR, the complainant has deposited certain amount in his account with the said Society which has not been accounted for and the petitioner has committed a fraud.

Learned counsel for the petitioner further submits that the petitioner was involved in five other FIRs, registered with regard to same Society, and relies upon a composite order dated 07.11.2019, passed by this

Court in CRM-M Nos. 46798, 46802 and 46804 of 2019, vide which the petitioner has already been granted concession of regular bail in three other FIRs. The operative part of the order reads as under:

“Petitioner prays for regular bail in FIR No.232 dated 18.3.2018 registered under Sections 406,409, 420, 166, 167, 506, 120-B IPC at Police Station City Hisar (in CRM-M-46798-2019), FIR No.1081 dated 18.12.2017 registered under Sections 120-B, 166, 167, 406, 409, 420, 506 IPC at Police Station City Hisar (in CRM-M-46802-2019) and FIR No.335 dated 18.4.2018 registered under Sections 120-B, 406, 409, 420 IPC at Police Station City Hisar (in CRM-M-46804-2019). Learned counsel for the petitioner relies upon order dated 30.10.2019 passed in CRM-M-11696-2019, M-11722-2019, M-11899-2019, M-13194-2019, M-13591-2019 and M-11714-2019 and submits that main accused has already been granted concession of bail. On the other hand, learned State counsel submits that petitioner is in custody since 27.7.2019 whereas the co-accused were in custody since November, 2018. Keeping in view the detailed reasons recorded in order dated 30.10.2019 passed in CRM-M-11696-2019, M-11722-2019, M-11899-2019, M-13194-2019, M-13591-2019 and M-11714-2019, this Court is of the view that the present petitioner also deserves to be released on regular bail, particularly, when investigating officer admits that the petitioner has not withdrawn any amount.”

Learned counsel for the petitioner further submits that even two other co-accused, namely Parmod Bhardwaj and Rakesh Kumar, have already been granted concession of regular bail, vide order dated 30.10.2019 passed by this Court in CRM-M-11696-2019 and other connected petitions (Annexure P-3).

It is further submitted that the offence is triable by the Court of a Magistrate and it will take a long time in conclusion of the trial.

Learned State counsel, on instructions from SI Satyawar, has not disputed the factual position and submitted that the petitioner is in judicial custody since 27.07.2019; *challan* stands presented and the case is now fixed for framing of charge.

I have heard learned counsel for the parties.

Without commenting upon the merits of the case, considering the fact that petitioner is a lady; she is in judicial custody since 27.07.2019; investigation is complete and *challan* stands presented and also in view of the fact that the offence is triable by the Court of a Magistrate and it is likely to take a long time in conclusion of the trial, the instant petition is allowed. The petitioner is ordered to be released on regular bail on her furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

08.11.2019

Waseem Ansari

**(ARVIND SINGH SANGWAN)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No