

231 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-1488-2020

Date of decision-20.01.2020

Sunita Devi

....Petitioner

Vs.

State of Haryana

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Rajesh Nain, Advocate for the petitioner.

Mr. Nishchal Mann, DAG, Haryana.

MANOJ BAJAJ, J.

Petitioner-Sunita Devi has prayed for grant of regular bail under Section 439 Cr.P.C in case FIR No.538 dated 14.06.2019 registered under Sections 406 and 420 of Indian Penal Code, 1860 at Police Station City, Thanesar, District Kurukshetra. The petitioner is in custody since her arrest on 08.11.2019.

The FIR was registered on the basis of complaint moved by Ram Phal Singh, Manager, Allahabad Bank, Kurukshetra wherein it was alleged that Renu and Narender had obtained loan of Rs.20 lacs for purchase of a house and accused Narender stood surety of Renu and sale deed No.5887 dated 20.10.2015 was executed in favour of Renu and Narender. Later on, it was pointed out that Nikhil in connivance with Renu, Narender and Parveen Kumar had already obtained loan of Rs.35 lacs on the said house from Oriental Bank of Commerce, Thanesar. On these allegations,

FIR was registered.

Learned counsel for the petitioner contends that the petitioner has been falsely implicated in the present FIR as neither she has been named in the FIR nor any role has been attributed to her. Learned counsel further submits that investigation of the case is complete, therefore, further custody of the petitioner may not be necessary. It is further pointed out that the dispute between the parties is of civil nature.

On the other hand, learned State counsel assisted by SI Raj Kumar opposed the prayer. However, it is not disputed that investigation of the case is complete. It is pointed out that the charges are yet to be framed and challan stands presented.

After hearing learned counsel for the parties, this Court finds that the trial is likely to consume considerable time and no useful purpose would be served by keeping the petitioner behind the bars, who is a lady, particularly when the investigation of the case is complete. Resultantly, without meaning any expression of opinion on the merits of the case, it is ordered that the petitioner be released on regular bail subject to her furnishing requisite bail bonds/surety bonds to the satisfaction of the trial Court concerned.

The petition is allowed.

(MANOJ BAJAJ)
JUDGE

20.01.2020

vanita

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No