

Sr. No.201

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

CRM-M-13210 of 2020 (O&M)

Date of Decision: 10.06.2020

Kirti Jindal

...Petitioner

Versus

State of Punjab

... Respondent

CORAM:- HON'BLE MR. JUSTICE ARUN MONGA

Present:- Mr. Ranbir Singh Sekhon, Advocate,
for the petitioner.

Mr. Luvinder Sofat, AAG, Punjab.

ARUN MONGA, J. (ORAL)

The petitioner herein seeks regular bail in FIR No.0008 dated 09.01.2017 registered under Sections 420, 120-B IPC, Police Station City Kotkapura, District Faridkot.

2. As per allegations in the FIR, the petitioner and her husband (non-applicant) promised to send the complainant abroad. They fraudulently took a sum of Rs.2,50,000/- from him. However, they failed to send the complainant abroad and cheated the complainant of his money. Complain against them was marked to Economic Offences Wing, where the petitioner and her husband compromised the matter. Pursuant thereto, a cheque was issued by petitioner's husband in favor of the complainant. The said cheque, on presentation, was dishonored on account of "Insufficient Funds" in the account of husband of the petitioner.

3. Learned counsel for the petitioner contends that petitioner has been falsely implicated as a pressure tactic. She has nothing to do with the aforesaid alleged transaction. She is working as Teacher and had settled in Delhi in year 2016. She is not involved in the business of travel agency, as alleged. Even otherwise, no specific role has been assigned to her.

4. Notice of motion.

5. Mr. Luvinder Sofat, AAG, Punjab, who has joined the proceedings on service of advance copy of petition, accepts notice on behalf of State of Punjab. He opposes grant of bail to the petitioner. He argues that that petitioner and her husband cheated the complainant twice. Firstly, they falsely promised to send the complainant abroad and; secondly, issued a cheque to the complainant knowing that they are having insufficient funds in the his account.

6. I have both the learned counsels. The petitioner is a mother and teacher. She has also to look after her children who are currently deprived of both their parents, as her husband is also stated to be in custody. Concededly, disputes if any, were/are between her husband and the complainant. The alleged cheque was also issued by the husband of the petitioner. Moreover, the petitioner is not required for any further custodial interrogation. No useful purpose would thus be served by keeping the petitioner in further custody.

7. The petitioner has already been in custody since 06.03.2020. Investigation of the case is already over. The trial on the other hand is not likely to conclude any time soon due to on going pandemic conditions prevailing in the country. 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 bail bonds with local surety to the satisfaction of learned Chief

Judicial Magistrate/Illaqa Magistrate/Duty Magistrate concerned, as the case may be.

10.06.2020
Shalini

(ARUN MONGA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No