

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

208

Date of decision: 01.10.2020

1.

CRM-M-21311-2020

Manjit Kaur

....Petitioner

versus

State of Punjab

....Respondent

2.

CRM-M-4736-2020

Gurmail Singh

....Petitioner

versus

State of Punjab

....Respondent

CORAM: Hon'ble Mr. Justice Girish Agnihotri

Present: Mr. Ramanjeet Singh, Advocate, for the petitioner(s).

Mr. H.S. Sitta, Asstt. A.G., Punjab.

*(the aforesaid presence is being recorded through video**conferencing since the proceedings are being conducted in Virtual Court).*

GIRISH AGNIHOTRI, J. (Oral)

This order shall dispose of CRM-M No.21311 of 2020 and CRM-M No.4736 of 2020 as common issues are involved. For the sake of convenience, CRM-M No.21311 of 2020 is being treated as the lead case.

Petitioners-Manjeet Kaur in CRM-M No.21311 of 2020, and Gurmail Singh in CRM-M No.4736 of 2020, have filed the present petitions under Section 439 Cr. P.C. *inter alia* praying for grant of regular bail in case FIR No.127 dated 23.11.2017, under Sections 420, 406 IPC, registered at Police Station Khamanon, District Fatehgarh Sahib.

Learned counsel for the petitioners based on pleadings, submits that the petitioners have been wrongly involved in the case. Learned counsel further submits that husband of the petitioner-Manjit Kaur, namely, Gurmail Singh was earlier working as a driver in Dubai for the last 10 years. He is suffering from an ailment and therefore, has not done any work as a travel agent. Learned counsel, however, submits that the petitioner-Gurmail Singh as submitted above, is himself ailing from such ailment that he is not able to undertake any work and in support of the same, medical reports are attached as Annexure P-3. It is then submitted that the allegations in the FIR are that the petitioners had allegedly taken Rs. 2,50,000/- from the complainant party and had neither done the work nor return the same.

Learned State counsel, on instructions from ASI Satinder Singh, submits that the investigation is complete and the challan has been presented on 12.02.2020.

Faced with the situation, learned counsel for the petitioners submits that due to the present COVID-19 situation, detention of the petitioners in jail is dangerous to their lives, therefore, petitioners may be granted concession of regular bail.

In view of the peculiar facts as noticed above, considering the existing situation due to COVID-19 and the fact that trial is likely to take some time, this Court deems it appropriate to direct release of the petitioners on regular bail to the satisfaction of Chief Judicial Magistrate/Duty Magistrate concerned, subject to their furnishing bail bonds and insolvent surety bonds, jointly for Rs.2,50,000/-. However, it is made clear that anything observed herein shall not be construed as an

expression on merits of the case.

The petitions stand disposed of accordingly.

(GIRISH AGNIHOTRI)
JUDGE

01.10.2020.
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Whether speaking/ reasoned:	Yes/No
Whether Reportable:	Yes/No