

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

**CRM-M-14258-2021
Date of decision: 01.09.2021**

Manjeet Kaur

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. Vikas Bishnoi Godara, Advocate
for the petitioner.

Mr. Chetan Sharma, AAG, Haryana.

(through video conferencing)

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 Criminal Complaint under Sections 420, 467, 468, 471 of the IPC, titled as ***State through Sessions Judge, Fatehabad vs. Manjeet Kaur and another***, bearing Case No. 30-1, dated 28.02.2014, CNR No. HRFT03-000583 of 2014, District Fatehabad.

Learned counsel for the petitioner submits that petitioner is an old lady, aged about 62 years, and she is having age related health issues.

Learned counsel further submits that brief facts of the case are that on a complaint given through Sessions Judge, Fatehabad that the petitioner, who stood surety to an accused, namely Jagdev Singh, during the pendency of the criminal appeal titled as ***M/s ASSG Marketing Pvt. Ltd. vs. M/s Shiv Enterprises etc.***, has furnished fake documents. It is also alleged

in the complaint that the petitioner has shown herself to be the owner of a plot measuring 150 sq. yards at Bathinda, however, accused Jagdev Singh failed to appear before the Court on 27.11.2013 and his bail/surety bonds were cancelled and in that process, a notice was given to petitioner under Section 446 Cr.P.C., wherein it was found that neither the petitioner is residing at the given address nor she is having ownership of any such plot. On this complaint, the Illaqua Magistrate issued notice and thereafter, the petitioner was declared a proclaimed person as she failed to appear before the Court and even an FIR No. 10 dated 05.01.2021 under Section 174-A IPC was registered at Police Station City Fatehabad.

Learned counsel further submits that the petitioner is an illiterate lady and said Jagdev Singh is petitioner's relative and having a dominant relationship, he got the petitioner's thumb impression on the surety bonds.

Learned counsel further submits that whatever was done was in fact done by said Jagdev Singh and the petitioner was not aware that the documents attached with the surety bonds were fake documents.

Learned counsel further submits that as on today, the petitioner is in judicial custody for the last 04 months and 18 days and the trial is likely to take a long time as the offences are triable by the Court of a Magistrate.

Learned State counsel has filed the custody certificate and has not disputed the factual position. It is also not disputed that petitioner is an illiterate lady and except for this case and the aforesaid FIR under Section 174-A IPC, the petitioner is not involved in any other case.

I have heard learned counsel for the parties.

Without commenting upon the merits of the case, considering the aforesaid facts and submissions of learned counsel for the parties, 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/Illaqa Magistrate, concerned.

01.09.2021
Waseem Ansari

(ARVIND SINGH SANGWAN)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No