

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

Criminal Misc.-M No.21713 of 2021

Date of Decision: July 28, 2021

Nirmala

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Mohit Saini, Advocate,
for the petitioner.

Mr. Kanwar Sanjiv Kumar, AAG, Haryana.

MANOJ BAJAJ, J. (Oral)

Petitioner has filed this petition under Section 439 Cr.P.C. for grant of regular bail pending trial in case FIR No.579 dated 17.9.2020, under Section 420, 419, 467, 468, 471, 212, 201, 120-B IPC, Police Station Sadar Gurugram, who is in custody since her arrest on 19.04.2021.

The above FIR was registered on the statement of Murti Devi, who stated that she is a widow and resides at H.No.85, Gupta Colony, Gurugram alongwith her son Satish Solanki. She has two sisters, namely, Laxmi Devi and Bala Devi. Her parental house is in Islampur, Gurugram and in respect of their land bearing No.465/A, 465/2/A at village Islampur, compensation amount was received by them, and no Release Deed of the said land was executed. But now they have come to know that Ajay has fraudulently got registered the said land in his name. On these broad allegations, the present FIR was registered.

Learned counsel for the petitioner contends that the trial is

likely to consume considerable time as the challan has been filed on 12.07.2021, but the charges are yet to be framed. He submits that similarly situated co-accused of the petitioner, namely, Indirawati, has already been granted the concession of regular bail by the trial court vide order dated 07.07.2021. He further submits the petitioner is not involved in any other case of similar nature and as the offences are triable by Magistrate, therefore, the petitioner be released on regular bail.

On the other hand, the prayer is opposed by the learned State counsel, assisted by Inspector Bhoop Singh, on the ground that the offences are serious. However, it is not disputed by him that the co-accused has been granted the concession of regular bail.

After hearing the learned counsel for the parties, considering the custody period of the petitioner and the fact that similarly situated co-accused of the petitioner has already been released on regular bail, this court is of the opinion that the further custody of the petitioner may not be necessary for any useful purpose, who is presently confined in judicial custody after her arrest on 19.04.2021.

Resultantly, without meaning any expression of opinion on the merits of the case, the petition is allowed and it is ordered that the petitioner be released on regular bail subject to his furnishing requisite bail bonds/surety bonds to the satisfaction of the trial Court/CJM/Duty Magistrate, Gurugram.

July 28, 2021
ramesh

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether Reportable:

Yes/No
Yes/No