

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

CRM-M No.50530 of 2021 (O&M)

Date of decision: 09.12.2021

Sukhveer Kaur

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. K.S. Brar, Advocate
for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

ARVIND SINGH SANGWAN J. (Oral)

Prayer in this petition is for grant of regular bail to the petitioner under Section 439 of the Code of Criminal Procedure (in short 'Cr.P.C.') in FIR No.116 dated 04.07.2021, for offence punishable under Sections 420, 384, 380, 413, 506 of the Indian Penal Code, 1860 (in short 'IPC') registered at Police Station Kotwali Bathinda, District Bathinda.

Counsel for the petitioner has submitted that as per the allegations in the FIR, the petitioner along with the co-accused is habitual of cheating the other persons by performing fake marriage and then, taking heavy amount. It is further stated in the FIR, which was initially registered on the basis of a secret information that the co-accused Gurpreet Singh @ Guri is roaming in the bus-stand to implicate some other person in his net and the petitioner, who is sister of Gurpreet Singh @ Guri, Veerpal Kaur and Amandeep Kaur are part of the said gang, who are indulged in such activity. On receiving the

said information, the FIR was registered. Counsel for the petitioner has further submitted that after the arrest of the petitioner, a disclosure statement was allegedly made by the co-accused Gurpreet Singh vide which he has recovered some articles with money and as per the disclosure statement of the petitioner, her marriage was solemnized with one Gurjoban Singh and after 02 days of marriage, she left the house on the pretext of attending last rites of her maternal uncle and in that process, she has taken cloths and demanded money from Gurjoban Singh.

Counsel for the petitioner has further submitted that the petitioner is a lady, who is in custody for the last about 05 months; challan stands presented, therefore, she is no more required for custodial interrogation. Lastly, it is submitted that even her brother and co-accused Gurpreet Singh @ Guri against whom the secret informer has given the information to the police, has already been released on bail vide order dated 10.11.2021 passed in CRM-M No.43143 of 2021.

Counsel for the State on the basis of the Custody Certificate has not disputed the factual position but opposed the prayer for bail.

Without commenting anything on merits of the case, considering the fact that the petitioner is a lady; she is in custody for the last 04 months and 28 days; the co-accused of the petitioner is already released on bail; the custodial interrogation of the petitioner is not required and the conclusion of the trial will take some time due to COVID-19 situation, this petition is allowed and the petitioner is directed to be released on bail subject to her furnishing bail/surety bonds to the satisfaction of the trial Court/Illaq Magistrate/Duty

Magistrate.

However, it will be open for the prosecution to apply for cancellation of bail of the petitioner, in case she is found involved in any other case or misusing the concession of bail, in any manner.

(ARVIND SINGH SANGWAN)
JUDGE

09.12.2021
yakub

Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No