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

CRM-M-1536-2022

Date of decision:11.02.2022

SALONI SALUJA

...Petitioner

Versus

STATE OF HARYANA

...Respondent

CORAM: HON'BLE MR. JUSTICE SURESHWAR THAKUR

Present: Mr. Gourav Goel, Advocate
for the petitioner.

Mr. Pradeep Prakash Chahar, DAG, Haryana.

(Through Video Conferencing)

SURESHWAR THAKUR, J. (ORAL)

1. In FIR No.126 of 20.08.2020 offences constituted under Sections 406, and, 420 of IPC (Sections 506, 467, 468, 471, 201, and, 120-B of IPC, and, Section 10 of Immigration Act added lateron) are embodied.
2. The FIR (supra) is registered with Police Station Sadhaura, District Yamuna Nagar. The bail petitioner is alleged to dupe the complainant, on the pretext of sending him abroad, for a sum of Rs.15 lacs.
3. Be that as it may, the bail petitioner is in judicial detention since 04.12.2020. The above prolonged period of judicial detention of the bail petitioner, *per-se* may not become further prolonged, through an order rather declining bail to the bail petitioner, as thereupon, the personal liberty of the bail petitioner would become curtailed, and, fettered. Moreover, also the ill-consequences of the bail petitioner being untenably put to pre-trial detention for offence(s) carried in FIR (supra), which even otherwise may, upon a lawful verdict of conviction being passed, upon the convict, result in imposition of

sentence of imprisonment upon her, which may not extend to life imprisonment. Moreover, since the investigations into the FIR (supra), are complete, and, also since trial has commenced against the bail petitioner, and, further when this Court in other bail petitions, filed by the bail petitioner, with respect to similar allegations, as made against her in FIRs, other than the one, has accorded the indulgence of bail to her. Therefore, this Court also proceeds to admit the bail petitioner to bail.

4. Consequently, the bail petition is allowed, and, the bail petitioner is ordered to be released from the judicial custody. However, the granting of bail to the bail applicant-petitioner, is subject to her furnishing personal, and, surety bonds in the sum of ₹50,000/- each, before the learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned, and, also subject to her not tampering with prosecution evidence, and, her not influencing prosecution witnesses, and, besides also her appearing before the trial Court concerned, as and when directed to make her personal appearance. Since the bail petitioner is an habitual offender, thereupon, this Court deems it fit to impose a further condition upon her, inasmuch as, upon her re-indulging in any criminal activity of an alike nature, thereupon, the investigating officer concerned, shall forthwith arrest the bail petitioner, and, thereafter, shall produce the petitioner-bail applicant before the trial Court concerned, for the latter making an order for hers being put to judicial custody.

(SURESHWAR THAKUR)
JUDGE

11.02.2022

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Whether speaking/reasoned:-
Whether reportable:

Yes/No
Yes/No