

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

CRM-M-3342-2022 (O&M)
Date of decision: 04.04.2022

Jasbir Kaur

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Shekhar Verma, Advocate for the petitioner.

Mr. Harbir Sandhu, AAG Punjab.

HARNARESH SINGH GILL, J. (ORAL)

The petitioner has filed this petition under Section 439 of Cr.P.C. for grant of regular bail in case FIR No. 102 dated 30.07.2021, registered under Sections 417 and 420 IPC, 1860, at Police Station Division No. 1, District Pathankot.

Learned counsel for the petitioner submits that as alleged, the petitioner has furnished fake sureties in three different criminal matters involving offence under Section 138 of the Negotiable Instruments Act, 1881 and for release of case property on *Sapurdari* i.e. (1) NI Act 482/2017 titled as Ravi Kant Vs. Nisha Luthra, (2) State Vs. Surjit Singh etc. and (3) Gaurav Mehra Vs. Asha, under Section 138 of the Negotiable Instruments Act, 1881; that the petitioner is not involved in any other case, except these; that the petitioner is a registered owner of the property, which was purchased from the wife of the complainant and that the petitioner has been in custody since 07.12.2021

Learned State counsel, while vehemently opposing the prayer for bail submits that there are specific allegations against the petitioner that she has furnished the fake sureties in three different cases. However, he does not dispute the custody period of the petitioner.

I have heard the learned counsel for the parties.

The petitioner was the registered owner of the property and alleged sureties were given in the year 2017 and 2018. The petitioner has sold her said property on 14.05.2019 and never furnished or offered surety thereafter.

The petitioner has been in custody since 07.12.2021. The petitioner is a lady of 38 years of age. The conclusion of the trial would take a long time. Hence, no useful purpose would be served by keeping the petitioner behind the bars.

In view of the above, without commenting anything on the merits, lest it should prejudice the case of either side, the petition is allowed and the petitioner is ordered to be released on regular bail on her furnishing bail and surety bonds to the satisfaction of the learned trial Court/Duty Magistrate.

(HARNARESH SINGH GILL)
JUDGE

04.04.2022
Mangal Singh

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No