

**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH.**

213

CRM-M-6109-2022

Date of decision: 18.02.2022

MANDEEP KAUR @ MANDEEP SANDHU

.....Petitioner

Versus

STATE OF PUNJAB

.....Respondent

CORAM: HON'BLE MR. JUSTICE SANT PARKASH

Present : Mr. Jatin Khurana, Advocate
for the petitioner.

Mr. Arun Kaundal, DAG, Punjab
for the respondent-State.

SANT PARKASH, J. (ORAL)

Prayer in this petition under Section 439 of the Code of Criminal Procedure, 1973 is for grant of regular bail to the petitioner, in case, FIR No. 111 dated 03.08.2015 registered under Section 420 and 34 of the Indian Penal Code, 1860 at Police Station Beas, District Amritsar Rural.

The allegations against the petitioner in the present FIR are that she along Tarlochan Singh who is alleged to be her husband, Rajwinder Kaur sister of Tralochan Singh and her son Happy and one Shamsher Singh had received an amount of Rs.7.00 Lakh from the complainant on the pretext of sending wife of complainant to Italy but after receiving the said amount wife of complainant was not sent to abroad and the money was also not returned.

The petition has been opposed by learned State Counsel.

However, no reply has been filed on behalf of respondent/State.

I have heard learned Counsel for the parties and gone through the case file.

Learned Counsel for the petitioner has argued that the petitioner has been falsely implicated in the present case. No specific allegations are made out against the petitioner regarding her involvement and entrustment of the amount. The petitioner is neither the wife of main accused Tarlochan Singh nor she had ever assured the complainant to secure a visa for his wife. The petitioner never participated in any illegal act of co-accused Tarlochan Singh and she only knew Tarlochan Singh as she was in singing profession before marriage and Tarlochan Singh was also in the same profession. The petitioner was married to Surmukh Singh and is permanently residing in Sirsa. The petitioner never resided with the accused Tarlochan Singh nor introduced herself as his wife at any point of time to any person. The present FIR has been lodged without recording her version. The petitioner is in custody since 13.12.2021. Trial is likely to take long time. No useful purpose will be served by keeping the petitioner in custody. Therefore, the petitioner may be ordered to be released on regular bail.

On the other hand, learned State Counsel opposed the submissions of learned Counsel for the petitioner and has stated that the allegations against the petitioner are serious. Therefore, the petition for grant of regular bail to the petitioner may be dismissed.

Having considered the facts and circumstances of the case, the period of custody undergone by the petitioner, custodial

interrogation of the petitioner not required, trial is likely to take long time but without expressing any opinion on the merits of case, the petition is allowed and the petitioner is ordered to be released on regular bail on furnishing of personal and surety bonds to the satisfaction of the trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

18.02.2022
kavneet singh

(SANT PARKASH)
JUDGE

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