

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-5326-2020 (O&M)
Date of decision: 07.01.2022

Sohanpreet Kaur

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Ms. Rajvinder Kaur, 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 in FIR No.133 dated 29.08.2019 under Sections 420, 406, 467, 468, 471, 120-B IPC, registered at Police Station Mataur, District SAS Nagar (Mohali).

Learned counsel for the petitioner submits that as per allegations in the FIR, registered at the instance of Lakhwinder Singh, the petitioner has allured him that she is an employee in the Court and can procure a job for his son and in that process, she was paid some amount. It is further submitted that the petitioner is in custody for the last 02 years, 04 months and 03 days and till date, no prosecution witness has been examined, though the challan stands presented long back and the trial is delayed due to COVID-19 situation.

Learned counsel for the petitioner has drawn attention to an order

dated 10.11.2020, vide which the petitioner was directed to be released on interim bail for a period of three weeks, however, she could not come out of the judicial lockup, as she was involved in some other case and her custody continued.

Learned State counsel, on the basis of custody certificate dated 07.01.2022 filed in the Court today, has submitted that total custody of the petitioner is 02 years, 04 months and 03 days and she is involved in six other cases, out of which three FIRs are under Section 420 IPC and three cases under Section 138 of N.I. Act.

After hearing learned counsel for the parties, without commenting anything on merits of the case and considering the fact that the offences are triable by the Court of Magistrate and in terms of Section 437 (6) Cr.P.C., the petitioner being a lady and the trial having not been concluded within a period of 60 days, while the charges were framed on 04.01.2020 and till date, no prosecution witness has been examined, this petition is allowed and the petitioner is directed to be released on regular bail subject to furnishing his bail/surety bonds to the satisfaction of the trial Court/Illaq Magistrate/Duty Magistrate, concerned.

Petition is disposed of.

[ARVIND SINGH SANGWAN]
JUDGE

07.01.2022
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Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No