

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

226

CRM-M-16221-2022

Date of Decision : July 11, 2022

VARINDERJIT KAUR

.....Petitioner

VERSUS

STATE OF PUNJAB

.....Respondent

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present : Mr. Bikramjit Singh, Advocate for
Mr. Tarun Sharma, Advocate
for the petitioner.

Mr. Davinder Bir Singh, DAG, Punjab.

JASGURPREET SINGH PURI. J. (Oral)

The present petition has been filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No.15 dated 9.3.2021 under Sections 420, 120-B IPC, registered at Police Station Sadiq, District Faridkot.

It has been submitted by the learned counsel for the petitioner that the petitioner is a lady of the age of 40 years and is in custody from 3.8.2021 which is almost 11 months. He submitted that the investigation of the case has been completed and the challan has been presented before the competent Court. He further submitted that as per the allegations the petitioner alongwith other co-accused had received some amount of money for the purpose of sending the son of the complainant abroad. He submitted that the petitioner had no role in any kind of transaction between any of the parties and there was some amount

which was transferred in the name of the husband of the petitioner and even otherwise also the dispute, if any, would be of civil nature which had been given a criminal flavour and the investigation of the case already complete and no further recovery is to be effected from the petitioner and the petitioner who is a lady has faced incarceration for 11 months and, therefore, has prayed for the grant of regular bail to the petitioner.

On the other hand, the learned State counsel has submitted that it is correct that the petitioner is in custody for the last 11 months and the police has already completed the investigation of the case has and thereafter report under Section 173 Cr.P.C. has also been presented before the competent Court. He has, however, submitted that the petitioner is involved in two more cases pertaining to Section 420 IPC.

I have heard the learned counsels for the parties.

The petitioner is a lady of the age of 40 years and the allegation was that of giving some money by the complainant to the petitioner alongwith other co-accused. The petitioner has already faced incarceration for about 11 months the challan has already been presented and no recovery is to be effected from the petitioner. Apart from the same, it is not the case of the State that in case the petitioner is released on bail then she may influence any witness or may tamper with any evidence or may flee from justice.

Therefore, considering the totality of the circumstances of the present case, this Court deems it fit and proper to grant bail to the petitioner.

Consequently, the petition is allowed. The petitioner is ordered to be released on bail on furnishing of bail bonds and surety bonds to the satisfaction of concerned Chief Judicial Magistrate/trial Court/Duty Magistrate.

However, anything observed here-in-above shall have no effect on the merits of the case and is meant for deciding the present petition only.

July 11, 2022
ajay-1

(JASGURPREET SINGH PURI)
JUDGE

Whether speaking/reasoned.	:	Yes/No
Whether Reportable.	:	Yes/No