

**In the High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-22531-2021 (O&M)
Date of Decision:-10.10.2022

Mandeep Kaur ... Petitioner

Versus

State of Punjab ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Kanwaljeet Singh Brar, Advocate for the petitioner.

Mr. Luvinder Sofat, DAG, Punjab,
assisted by ASI Sukhmandar Singh.

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner has approached this Court seeking grant of regular bail in respect of a case registered vide FIR No.0009, dated 10.1.2021, Police Station Canal Colony, Bathinda, District Bathinda, under Sections 384, 386, 388, 395, 397, 506 of Indian Penal Code and Sections 25/54/59 of Arms Act.
2. The FIR was lodged at the instance of Sukhwinder Singh, wherein it is alleged that he is acquainted with Mandeep Kaur since the last about 3 years, who had borrowed an amount of Rs.15 lakhs from the complainant and had executed a pronote. However, when the complainant demanded back the said amount, she kept on putting off the matter on one pretext or the other. It is alleged that on 5.1.2021, Mandeep Kaur made a telephonic call to the

complainant asking him to come to the house of Jaswinder Kaur while promising to repay the said amount. However, when the complainant reached the house of Jaswinder Kaur, he found that apart from Jaswinder Kaur @ Binder and Mandeep Kaur, there were two other ladies namely Sarabjit Kaur @ Sabbi and Pammi. Four men namely Baldev Singh, Sandeep Singh and two unknown persons also came there. While Baldev Singh was armed with pistol, the others were carrying 'kapas' and they threatened the complainant and attempted to make an objectionable video. Jaswinder Singh, Mandeep Kaur and Pammi threatened the complainant to involve him in a false rape case and demanded an amount of Rs.20 lakhs and the complainant being scared agreed to pay an amount of Rs.8 lakhs. It is further the case of prosecution that Mandeep Kaur accompanied the complainant to his bank from where an amount of Rs.5 lakhs was withdrawn and handed over to Mandeep Kaur. Another amount of Rs.3 lakhs was arranged from Baljinder Singh and handed over to Mandeep Kaur.

3. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case and that there is no evidence to substantiate the allegations. It has further been submitted that the petitioner has a clean record and since the petitioner has been behind bars for a substantial period of 1 year and 8 months, she deserves to be released on bail.
4. Opposing the petition, learned State counsel has submitted that since serious allegations have been levelled against the petitioner and the police during the course of investigation has collected CCTV footage from the bank indicating the presence of the complainant as well as the petitioner, the complicity of the petitioner is clearly evident. Learned State counsel has informed that the

petitioner as on date has been behind bars since the last 1 year and 8 months and that charges are yet to be framed and as many as 16 PWs have been cited.

5. This Court has considered the rival submissions.
6. Though there are allegations against the petitioner and which the prosecution may be able to substantiate but having regard to the fact that the petitioner is a lady having a clean record and has otherwise been behind bars since the last 1 year and 8 months and the trial has not even commenced till date and as many as 16 PWs have been cited, further detention of the petitioner will not serve any useful purpose. The petition, as such, is accepted and the petitioner is ordered to be released on regular bail on her furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

10.10.2022

pankaj

**(Gurvinder Singh Gill)
Judge**

Whether speaking /reasoned
Whether Reportable

Yes / No
Yes / No