

CRM-M-23682-2022 (O&M)

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

CRM-M-23682-2022 (O&M).
Decided on : July 06, 2022.

Simran

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr.Manish Soni, Advocate for the petitioner.

Mr.Munish Sharma, AAG, Haryana.

VIKAS BAHL, J. (ORAL)

CRM-22492-2022

This is an application filed under Section 482 Cr.P.C., for placing on record copy of order dated 21.6.2022, passed by the learned Additional Sessions (Vacation) Judge, Gurgaon, as Annexure P-7.

For the reasons mentioned in the application, the same is allowed. Copy of order dated 21.6.2022, passed by the learned Additional Sessions (Vacation) Judge, Gurgaon, is permitted to be taken on record as

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Annexure P-7.

Main case

This is the first petition filed under Section 439 Cr.P.C., praying for the grant of regular bail to the petitioner in FIR No.107 dated 21.02.2022, under Sections 419, 420, 465, 467, 471 and 120-B IPC, registered at Police Station Pataudi, District Gurgaon.

Learned counsel for the petitioner has submitted that the petitioner is a young unmarried girl of 25 years of age and has been in custody since 2.5.2022 and the investigation is complete and challan has been presented and there are 12 witnesses and none of them have been examined and thus, the trial is likely to take time. It is further submitted that case is triable by the Judicial Magistrate First Class and the petitioner is not involved in any other case and in the present case, it is the sister of the petitioner who is married to the brother of Narender @ Monu and it was on his request that the petitioner had agreed to stand as purchaser in the sale deed in question and even the cheques, as are mentioned in the said sale deed, pertain to said Narender @ Monu. It is further submitted that petitioner is working as a teacher in a school and her parents are handicapped and even on the date of registration of the sale deed i.e. on 4.10.2021, she was at her workplace in school till 3:00 P.M. and after she was called in the office of Tehsildar, Pataudi by her relative. It is submitted that said Narender @ Monu has already been granted regular bail by the

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learned Addl. Sessions (Vacation) Judge, Gurgaon, vide order dated 21.6.2022.

Learned counsel for the State, on the other hand, has opposed the present petition for regular bail and has submitted that the present petitioner stood as the purchaser in the sale deed in which the real owner had been impersonated by co-accused Pushpa, who had appeared by stating that she was the owner i.e. Savita. It is submitted that it is the present petitioner who is the beneficiary of the said transaction and thus, she does not deserve the concession of regular bail.

This Court has heard the learned counsel for the parties and has perused the paper book.

The petitioner is in custody since 2.5.2022 and the investigation is complete and challan has been presented. There are 12 witnesses and none have been examined and thus, the trial is likely to take time. The case is triable by the Judicial Magistrate First Class and the petitioner is not involved in any other case. The petitioner is a young unmarried girl of 25 years of age who is stated to be working as a teacher in a school, and has handicapped parents to take care of and it is the case of the petitioner that she had signed the said sale deed on the asking of Narender @ Monu, who is a relative of the petitioner. The entire case is based upon documents which have already been received by the police and thus, no useful purpose would be served by keeping the petitioner in further

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incarceration. The co-accused of the petitioner namely Narender @ Monu has already been granted regular bail by the learned Additional Sessions Judge (Vacation) Judge, Gurgaon, vide order dated 21.6.2022 (Annexure P-7).

Keeping in view the above said facts and circumstances, the present petition is allowed and it is ordered that the petitioner shall be released on bail on her furnishing bail bonds/surety bonds to the satisfaction of the learned trial Court/Duty Magistrate, and subject to her not being required in any other case.

Nothing stated above shall be construed as an expression of opinion on the merits of the case and the trial would proceed independently of the observations made in the present case which are only for the purpose of adjudicating the present bail application.

July 06, 2022.
raj arora

(VIKAS BAHL)
JUDGE

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