

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

CRM-M No.23398 of 2022 (O&M)

Date of decision: 01.06.2022

Anju

....Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Parveen Sharma, Advocate
for the petitioner.

Mr. Chetan Sharma, AAG, Haryana.

ARVIND SINGH SANGWAN J. (Oral)

Prayer in this petition is for grant of regular bail to the petitioner under Section 439 of the Code of Criminal Procedure (in short 'Cr.P.C.') in FIR No.135 dated 12.03.2022, for offence punishable under Sections 420, 406, 506, 34 of the Indian Penal Code, 1860 (in short 'IPC') registered at Police Station Israna, District Panipat.

Counsel for the petitioner has submitted that it is stated in the FIR, registered at the instance of Rajender Kumar that he is 38 years old and he could not get himself married. One day, Naresh Kumar approached him along with other accused offering that he should get married with the petitioner. It is further stated that the petitioner has spent Rs.1.50 lacs on the marriage and has given Rs.3.50 lacs in cash to the petitioner, however, after the marriage he came to know that the petitioner is already married with one Satish Kumar and she performed

another marriage with one Dalbir in Rajasthan and then, married with one Sunil Kumar in Sonapat. Thereafter, she performed 4th marriage with the present petitioner and during the subsistence of this marriage, she again got married to one person Gaurav Sharma. It is submitted that since the petitioner has cheated the complainant and has not returned the amount, the FIR was registered.

Counsel for the petitioner has further submitted that the allegations in the FIR needs to be ascertained during the course of trial and the petitioner, who is a lady aged about 38 years, is having 03 years old son, who is also residing with her while in custody and therefore, she may be granted the concession of bail. It is further submitted that the petitioner is in custody for the last 02 months and 17 days, challan stands presented and charges are yet to be framed.

Counsel for the State on the basis of the Custody Certificate has not disputed the factual position but opposed the prayer for bail on the ground that the petitioner is involved in 02 more FIRs under Section 420 IPC.

Without commenting anything on merits of the case, considering the fact that the petitioner is in custody for the last 02 months and 17 days; the custodial interrogation of the petitioner is not required; challan stands presented; offences are triable by the Court of Magistrate and the conclusion of the trial will take some time, this petition is allowed and the petitioner is directed to be released on bail subject to her furnishing bail/surety bonds to the satisfaction of the trial Court/Illaq Magistrate/Duty Magistrate.

However, it will be open for the prosecution to apply for

cancellation of bail of the petitioner, in case she is found involved in any other case or misusing the concession of bail, in any manner.

(ARVIND SINGH SANGWAN)
JUDGE

01.06.2022
yakub

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