

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

-:-

CRM-M-27672-2021 (O&M)

Date of Decision : 04.02.2022

Sonpreet Kaur

....Petitioner

VERSUS

State of Punjab

....Respondent

CORAM : HON'BLE MRS. JUSTICE ALKA SARIN

Present : Mr. Preetwinder Singh Dhaliwal, Advocate for the petitioner.

Mr. H.S. Multani, AAG Punjab.

ALKA SARIN, J. (Oral)

Taken up through video conferencing.

This is the second petition filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the petitioner in FIR No.284 dated 09.09.2019 under Sections 420, 465, 471, 473, 120-B of the Indian Penal Code 1860 (Sections 471, 473 IPC deleted later on) registered at Police Station Talwandi Sabo, District Bathinda.

Learned counsel for the petitioner would contend that the first petition filed by the petitioner being CRM-M-15863-2020 was dismissed on 03.07.2020. Learned counsel for the petitioner would further contend that the change in circumstances since the dismissal of the first petition for regular bail is that though the challan was presented on 21.11.2019, till date not a single witness has been examined out of 23 witnesses. It is further contended that the since the dismissal of the first bail application on 03.07.2020, there is no progress in the trial. Learned counsel for the

petitioner would further contend that, including the present case, 5 cases were lodged against the petitioner on similar allegations. Out of that, two have been compromised by her, in one a cancellation report has been presented and in one of the cases the petitioner-herein has been granted bail by this Court vide order dated 07.01.2021 passed in CRM-M-5326-2021, keeping in mind the long custody and the fact that the trial is not progressing. Learned counsel for the petitioner would further contend that besides the above mentioned cases, the petitioner is involved in three other cases under Section 138 of the Negotiable Instruments Act, 1881.

Status report filed by the learned State counsel has been perused.

The facts, as stated by the learned counsel for the petitioner that the petitioner has been in custody for a period of 02 years 04 months and 07 days and that four other cases on similar allegations have been lodged against the petitioner out of which in two cases compromise has been effected and in one case cancellation report has been presented whereas in the fourth case the petitioner has been granted bail by this Court, are not denied by the State counsel.

Heard.

Without commenting upon the merits of the case and keeping in view the fact that since the dismissal of the first petition for grant of regular bail on 03.07.2020, there is no progress in the trial as not a single witness has been examined since then as also the fact that the conclusion of the trial is likely to take some time especially in view of the current situation created

by the third wave of COVID-19 Pandemic, I deem it to be a fit case to grant the concession of regular bail to the petitioner. The petitioner is directed to be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the Illaqa Magistrate/Duty Magistrate/Trial Court concerned.

However, the Prosecution will always be at liberty to apply for cancellation of bail in case the petitioner is found to be misusing the concession of bail in any manner.

It is also made clear that any observation made herein shall not be treated as an expression of opinion on the merits of the case.

Disposed off.

February 04, 2022

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(ALKA SARIN)

JUDGE

NOTE : Whether speaking/non-speaking : Speaking

Whether reportable : YES/NO