

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

CRM-M-31473-2022
Date of Decision:-**12.10.2022**

NISHA

... Petitioner

Versus

STATE OF PUNJAB

... Respondent

-.-

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

-.-

Present:- Mr. Arihant Goyal, Advocate
for the petitioner.

Mr. Jaspal Singh Guru, AAG, Punjab.

-.-

KARAMJIT SINGH, J. (Oral)

Prayer is for grant of regular bail in case having FIR No.41 dated 4.5.2022 registered under Sections 379-B, 420, 411 IPC at Police Station Khilchian, District Amritsar .

The counsel for the petitioner submits that the petitioner is a lady aged about 37 years and has been falsely implicated in the present case and is in custody since 4.5.2022 and is having no criminal history. The counsel for the petitioner further submits that after completion of investigation, the police presented the challan and charges have been framed. That however it will take considerable time for the trial to conclude.

The counsel for the petitioner further submits that even otherwise as per the allegations made in the FIR one stolen car was recovered from the possession of co-accused Sukhbir Singh who was driving the said car while the petitioner who is wife of said Sukhbir Singh was sitting along side him. The counsel for the petitioner further submits that the petitioner was never involved in snatching of any car as has been alleged by the prosecution.

The present petition is opposed by the State counsel, who submits that prior to the recovery of aforesaid car, it was snatched by co-accused Sukhbir Singh. The State counsel on instructions from ASI Harbans Singh has not disputed the fact that after completion of investigation challan has been presented and charges are also framed. The State counsel further apprised the Court that with regard to snatching of aforesaid car, separate FIR was registered against co-accused Sukhbir Singh.

I have considered the submissions made by counsel for the parties.

The present case is relating to recovery of stolen car from the possession of the petitioner and co-accused Sukhbir Singh. Both of them were arrested at the spot on 4.5.2022. After completion of investigation, the police has presented the challan and charges are also framed. Admittedly, separate FIR regarding snatching of aforesaid car was registered against the husband of the petitioner and he has been arrested even in the said case by the police. Apparently there are no allegations against the petitioners that she was also involved in the aforesaid incident of snatching of car. So *prima facie* the present case appears to be relating to recovery of stolen car and the petitioner is in custody for the last more than 5 months and it will

take time for the trial to conclude. So no purpose is going to be served by keeping the petitioner behind the bars for any longer period. Thus without commenting on the merits of the case, the petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing bail and surety bonds to the satisfaction of the trial Court/CJM/Duty Magistrate concerned.

12.10.2022
Gaurav Sorot

(KARAMJIT SINGH)
JUDGE

Whether reasoned / speaking? Yes / No

Whether reportable? Yes / No