

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

CRM-M-49498-2021 (O&M)
Date of Decision:-29.3.2022

Karamveer Kaur @ Kirna

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Navjot Singh Wahniwal, Advocate for the petitioner.

Mr. Luvinder Sofat, AAG, Punjab,
assisted by ASI Chamkaur 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.164 dated 16.7.2021, Police Station City Kotkapura, District Faridkot under Section 379 of Indian Penal Code, wherein offences under Sections 411, 420, 465, 467, 468, 471, 474, 120-B of Indian Penal Code were added later on.
2. The FIR in question was lodged at the instance of Rajinder Kumar, wherein it is alleged that he owns a motorcycle bearing registration No.PB-04-W-4437 and that on 10.7.2021, he after doing labour work, came to his house in the afternoon to have his meals and parked his motorcycle outside. After about half an hour, when he came out after having meals, he found that his

motorcycle is missing. The complainant alleges that he strongly believes that his motorcycle has been stolen by Rajan Kumar, Manpreet Singh @ Mani and Nirbhey Singh, whom he knew personally and who were sitting beneath a bridge on the railway road. It is further the case of prosecution that the aforesaid three persons named in the FIR were arrested by the police after about a week of lodging of the FIR and the motorcycle in question was recovered from them apart from another 6 stolen motorcycles/scooters as well as 4 forged registration certificates (RCs). It is further the case of prosecution that during the course of interrogation, the said accused disclosed that it is the petitioner, who had been preparing the forged registration certificates and had thus been facilitating the co-accused for sale of the stolen vehicles.

3. Learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in the present case and that, in any case, there is no allegation against her as regards the theft of motorcycles in question. It has been submitted that since the petitioner has been behind bars since the last more than six months and challan already stands presented, she deserves the concession of bail.
4. On the other hand, learned State counsel has opposed the petition on the ground that since recovery of stolen motorcycles had been effected from co-accused, who had named the petitioner as the person, who forged the registration certificates, her complicity is clearly evident. Learned State counsel has further informed that since the petitioner happens to be involved in one more case under Section 420 of Indian Penal Code, no case for grant of bail is made out. Learned State counsel has, however, informed that

although challan has been presented but charges have not been framed so far and as many as 16 PWs have been cited.

5. I have considered rival submissions addressed before this Court.
6. Without commenting anything as regards merits of the case but while noticing that the petitioner is a lady and has been behind bars for a substantial period of about 6 months, she is entitled to be released on bail particularly in view of the fact that conclusion of trial is likely to consume time inasmuch even the charges have not been framed till date. 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.

29.3.2022

pankaj

**(Gurvinder Singh Gill)
Judge**

Whether speaking /reasoned Yes / No

Whether Reportable Yes / No