

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

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CRM-M-52238-2021 (O&M)

Date of Decision: 02.08.2022

JASVIR KAUR

... Petitioner

Versus

STATE OF PUNJAB

... Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Liaqat Ali, Advocate for the petitioner.

Mr. Harbir Sandhu, AAG, Punjab.

HARNARESH SINGH GILL, J.(Oral)

Through this petition, the petitioner seeks regular bail in case bearing FIR No.40 dated 22.07.2021, registered at Police Station Mukandpur, District SBS Nagar, under Sections 419, 420, 465, 467, 468, 471 and 120-B IPC and Section 82 of the Registration Act.

Status report by way of an affidavit dated 29.07.2022 of the Deputy Superintendent of Police, Sub-Division Banga, District SBS Nagar, filed on behalf of the State, in the Court, is taken on record.

Learned counsel for the petitioner contends that it was the petitioner, who had borrowed a loan of Rs.7 lakh from the complainant on interest and that as a surety of the said amount, the complainant asked the petitioner to appear before the Sub Registrar, Garhshanker, where her signatures had been obtained by the complainant on some blank papers, which had been converted into forged and fabricated power of attorneys and other document. He further submits that the suit for permanent

injunction, filed by the petitioner against complainant and one Vikas Sharma, was ex parte decreed on 01.11.2019 and that the petitioner has been in custody since 11.10.2021.

Per contra, while opposing the prayer for grant of regular bail to the petitioner, learned State counsel does not dispute the custody period of the petitioner. He, however, submits that execution of Power of Attorney is an after-thought as the same was got registered on 05.01.2012 whereas the brother of the petitioner was missing since February, 2011. He further submits that post framing of the charges, the prosecution evidence is yet to commence.

I have heard the learned counsel for the parties.

The petitioner has been in custody since 11.10.2021. The allegation against the petitioner is regarding forgery and fabrication of the attorney. Civil Suit filed by the petitioner was decreed in her favour on 01.11.2019. Prosecution evidence is yet to commence. In such circumstances, the trial of the case would take a long time to conclude. Therefore, no useful purpose would be served by keeping the petitioner behind the bars.

In view of the above and without commenting anything on the merits of the case, lest it should prejudice the case of either side, the present petition is allowed and the petitioner is ordered to be released on bail on her furnishing bail/surety bonds to the satisfaction of the learned trial Court/Duty Magistrate/Chief Judicial Magistrate concerned.

02.08.2022

Aman Jain

(HARNARESH SINGH GILL)
JUDGE

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