

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

225

CRM-M-49885-2022
Decided on :19.12.2022

Damini

. . . Petitioner

Versus

State of U.T. Chandigarh

. . . Respondent

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

PRESENT: Mr. Surinder Singh, Advocate
for the petitioner.

Mr. Gagandeep Singh, Advocate for
Mr. C. S. Bakhshi, Addl. P.P. U.T. Chandigarh.

VIKAS BAHL, J. (Oral)

This is a first petition under Section 439 Cr.P.C. for grant of regular bail to the petitioners in FIR No. 179 dated 14.11.2021 registered under Sections 419, 420, 467, 468, 471 and 120-B IPC at Police Station Sector-17, Chandigarh.

Learned counsel for the petitioner has submitted that the petitioner is a 26 year old girl who has been in custody since 05.02.2022 and the investigation is complete and the challan has been presented and there are as many as 25 prosecution witnesses, none of whom have been examined and thus, the trial is likely to take time. It is further submitted that the co-accused of the petitioner namely Ranjit Singh has been granted the concession of regular bail by the Judicial Magistrate 1st Class, Chandigarh vide order dated 06.12.2022. It is contended that the entire case is based on documentary evidence and thus, no purpose

would be served by keeping the present petitioner in further incarceration.

Learned State counsel, on the other hand, has opposed the present petition for regular bail and has submitted that the petitioner had appeared before the Sub Registrar and presented herself to be the complainant Dr. Juveeza Chadha and had impersonated the complainant by showing forged and fabricated documents. It is further submitted that the petitioner is the main accused in the present case.

This Court has heard learned counsel for the parties and has gone through the paper-book.

In the present case, the petitioner has been in custody since 05.02.2022 and the investigation is complete and the challan has been presented and there are as many as 25 prosecution witnesses, none of whom have been examined and thus, the trial is likely to take time. The petitioner is not involved in any other case and co-accused of the petitioner namely Ranjit Singh has been granted the concession of regular bail by the Judicial Magistrate 1st Class, Chandigarh vide order dated 06.12.2022. The entire case is based on documentary evidence and no purpose would be served by keeping the present petitioner in further incarceration.

Keeping in view the abovesaid facts and circumstances, the petition is allowed and the petitioner is directed to be released on regular bail on her furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate, subject to her not being required in any

other case.

However, it is made clear that in case, any act is done by the petitioner to threaten the complainant or any of the witnesses, then it would be open to the State to move an application for cancellation of bail granted to the petitioner.

Nothing stated above shall be construed as an expression of opinion on the merits of the case and the trial would proceed independently of the observations made in the present case which are only for the purpose of adjudicating the present bail application.

19.12.2022
Mehak

(VIKAS BAHL)
JUDGE

Whether reasoned/speaking?	Yes/No
Whether reportable?	Yes/No