

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

CRM-M No.2957 of 2023

Date of decision: 24th January, 2023

Rajwinder Kaur

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Arshdeep S. Brar, Advocate for the petitioner.
Mr. Amit Rana, Sr. Deputy Advocate General, Punjab
for the respondent/State.
Mr. R.S. Dadwal, Advocate for the complainant.

MANJARI NEHRU KAUL, J. (ORAL)

Petitioner in the instant petition filed under Section 439 Cr.P.C. is seeking concession of regular bail in case bearing FIR No.185 dated 03.08.2022 under Sections 420, 120-B IPC registered at Police Station Sidhwan Bet, District Ludhiana Rural.

Learned counsel for the petitioner inter alia contends that the petitioner who is a lady, is a victim of false implication. He further submits that the occurrence in question took place on 21.06.2022 and the FIR in question was registered after an inordinate delay of 43 days which further lends credence to the false implication of the petitioner. While inviting the attention of this Court to the allegations levelled in the FIR (Annexure P-1), he submits that the petitioner is mother of

Manpreet Kaur with whom marriage of the son of the complainant was to be solemnized. No money was ever paid to her and even the alleged money was handed over by the complainant to Paramjit Singh. He further submits that co accused Nirmal Singh has since been extended concession of bail by this Court vide order (Annexure P-2) dated 13.12.2022. A prayer has therefore been made for grant of bail to the petitioner as she has been in custody since August 2022 and challan stands presented. He further submits that the offences are triable by Magistrate.

Per contra, learned State counsel on instructions while opposing the prayer and submissions made by the counsel opposite, has not disputed that investigation is complete in the case in hand and charges have not yet been framed.

I have heard learned counsel for the parties and perused the relevant material on record.

The petitioner, as conceded by the learned State counsel on instructions, is not involved in any other criminal case much less in a case of similar nature. The trial shall take considerable time to conclude. Challan stands presented under Sections 420, 120-B IPC, which offences are triable by Magistrate. In the facts and circumstances, as enumerated hereinabove, this Court deems it fit to allow the instant petition. The petition as such is allowed and the petitioner is admitted to bail to the satisfaction of the trial Court/Duty

Magistrate. However, it is made clear that anything contained hereinabove shall not be construed to be an expression of opinion on the merits of the case.

(MANJARI NEHRU KAUL)
JUDGE

January 24, 2023

rps

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