

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

(Sr. No.211)

CRM-M No. 9048 of 2023
Date of decision : 22.05.2023

Kiranjeet Kaur

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM : HON'BLE MR. JUSTICE DEEPAK SIBAL

Present : Mr. Anmol Puri, Advocate for the petitioner.

Mr. APS Tung, DAG, Punjab.

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DEEPAK SIBAL, J. (Oral)

(1) The present petition has been filed under Section 439 Cr.P.C. for the grant of regular bail in FIR No.63 dated 25.02.2020 registered under Sections 420, 120-B IPC and Section 13 of the Punjab Prevention of Humans Smuggling Act, 2012 at Police Station City Sri Muktsar Sahib, District Sri Muktsar Sahib.

(2) The petitioner, along with her co-accused, is being prosecuted for having duped the complainant for a sum of about Rs. 23 lakhs on the pretext of sending the complainant to Australia on the basis of marriage with a girl having a good score in IELTS.

(3) Learned counsel for the petitioner contends that the petitioner has been falsely implicated in this case; the petitioner has no other criminal antecedents; she is in custody since 29.12.2022; investigation in the case is complete and therefore, the petiitoenr is in no posisiton to influence the same; similarly placed co-accused Baljinder Singh has been granted regular bail; co-accused Sukhvir Kaur and Ninderpal Kaur have been granted anticipatory bail

and that only to show her *bona fides* but subject to the final outcome of her trial, the petitioner is also willing to deposit with the trial court Rs.2 lakhs for onward transmission to the complainant .

(4) Learned State counsel opposes the petition.

(5) Learned counsel for the parties have been heard and with their able assistance the record of the case has also been perused.

(6) The petitioner is a 47 year old lady with no other criminal antecedents; she is in custody since 29.12.2022; investigation in the case is complete; co-accused Baljinder Singh has been granted regular bail; co-accused Sukhvir Kaur and Ninderpal Kaur have been granted anticipatory bail and that the trial of the petitioner, as and when it begins, is likely to take a long time to conclude.

(7) In view of the above, the present case is considered to be a fit one in which the petitioner be directed to be released on regular bail. Resultantly, subject to the satisfaction of the CJM/Duty Magistrate, Sri Muktsar Sahib, the petitioner is directed to be released on bail.

(8) In terms of the offer made by the petitioner, this order shall be subject to the petitioner's depositing Rs.2 lakhs before the trial court which shall be disbursed to the complainant against security and would abide by the final order to be passed in the petitioner's trial.

(9) It is clarified that the above observations have been made only for the limited purpose of deciding the present regular bail application and the same would not be construed to be an expression of opinion on the merits of the case.

22.05.2023

sunil yadav

**(DEEPAK SIBAL)
JUDGE**

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No