

(221) IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-13567-2023

Date of Decision:22.03.2023

Bhavya Sharma @ Bhanu

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM : HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present : Mr. Ketan Chopra, Advocate for the petitioner.

Mr. Mohit Chaudhary, A.A.G. Punjab.

Mr. Nakul Sharma, Advocate for the complainant.

SANDEEP MOUDGIL, J. (Oral)

This petition under Section 439 Cr.P.C has been filed for grant of regular bail to the petitioner in FIR No.275 dated 07.12.2022 registered under Sections 406, 420, 506 and 120-B IPC at Police Station Haibowal, District Ludhiana.

Learned counsel for the petitioner states that allegations qua the petitioner were after more than 4 months of registration of a complaint dated 08.08.2022 wherein the FIR was registered on 07.12.2022. It is evident from the complaint which is on record as Annexure P-2 which has been made part of the FIR that the complainant did not name or raise any allegation qua the petitioner at that stage but has been thereafter with an attempt to invoke or attract Section 406, 420, 120-B and 506 IPC added the allegations of alluring the wife of the complainant to part away with certain ornaments but the same are having no direct evidence to connect the petitioner with the crime as it has been only levelled after seeing the bank lockers lying empty during the course of investigation.

On the other hand, learned State counsel has produced the custody

certificate. A perusal of the same would show that the petitioner is behind bars for the last 2months and 2 days so far.

Considering the totality of facts and circumstances of the case particularly the fact that there is no direct evidence to connect the petitioner with the crime; no further investigation or custodial interrogation is required nor any recovery is to be effected at this stage as also custody already faced by the petitioner during the pendency of the trial which is likely to take sufficient time to conclude, this petition is allowed and the petitioner is ordered to be released on bail subject to the satisfaction of concerned Chief Judicial Magistrate/trial Court/Duty Magistrate.

22.03.2023
rajeev

(SANDEEP MOUDGIL)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>