

214 IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-15563-2023

Date of Decision: 01.08.2023

VINITA CHAUDHARY

.....Petitioner

Versus

STATE OF HARYANA

..... Respondent

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. Suvir Sidhu, Advocate
for the petitioner.

Mr. Naveen Kumar Sheoran, DAG, Haryana.

Mr. Dharamvir Sharma, Advocate and
Mr. Parminder Singh, Advocate
for the complainant.

JASGURPREET SINGH PURI, J. (ORAL)

1. The present petition has been filed under Section 439 of Code of Criminal Procedure for seeking grant of regular bail in case FIR No.1004 dated 23.10.2021 under Sections 406, 420, 120-B, 506, 34 of IPC, 1860 registered at Police Station Sadar Karnal, District Karnal.

2. Learned counsel for the petitioner has submitted that the petitioner is a lady of age 37 years and she is in custody from 09.03.2023 which is more than 4 ½ months. He has submitted that the police has completed the investigation in the present case and thereafter, challan has been presented in the competent Court. He submitted that the charges have been framed and allegations were not only against the petitioner but also against the husband of the petitioner while alleging that an amount has been taken by them from the complainant on the pretext of getting the government job. He further submitted that the allegations have to be seen at the time of trial by adducing evidence and petitioner is not involved in any other case of similar

nature but is involved in one case under Section 294 of IPC and therefore, may be considered for grant of regular bail.

3. On the other hand, learned State counsel, on instructions, has submitted that it is correct that the petitioner is in custody for more than from 4 ½ months and the police has already completed the investigation and challan has been presented in the competent Court.

4. Learned counsel for the complainant submitted that the petitioner and her husband has not returned back the money to the complainant.

5. I have heard learned counsel for the parties.

6. The petitioner is a lady of age 37 years and she has already suffered incarceration for more than 4 ½ months. The present is a case of money dispute and it is triable by the Magistrate. The petitioner is not involved in any other case of similar nature.

7. In view of the aforesaid facts and circumstances, this Court is of the view, that the petitioner deserves the concession of regular bail.

8. Consequently, the present petition is allowed. The petitioner shall be released on regular bail, subject to furnishing bail bonds/surety to the satisfaction of the learned trial Court/Duty Magistrate concerned.

9. However, anything observed herein above shall not be treated as an expression of opinion on merits of the case & is only meant for the purpose of decision of present petition.

01.08.2023
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(JASGURPREET SINGH PURI)
JUDGE

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| 1. Whether speaking/reasoned: | Yes/No |
| 2. Whether reportable: | Yes/No |