

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

217

1. CRM-M-27186-2023
Date of decision: 20.09.2023

SaloniPetitioner
Versus

State of PunjabRespondent

2. CRM-M-38277-2023
Date of decision: 20.09.2023

Raminder SinghPetitioner
Versus

State of PunjabRespondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. R.S. Dhull, Advocate
for the petitioners.

Mr. Amit Rana, Sr. DAG, Punjab.

MANJARI NEHRU KAUL, J. (ORAL)

1. Since both the petitions arise out of the same FIR i.e. FIR No.71 dated 06.08.2022 under Sections 406, 420, 506, 120-B of the IPC, Section 24 of the Emigration Act, 1983 and Section 13 of the Punjab Travel Professional (Regulation) Act, 2014 registered at Police Station Sadar Raikot, District Ludhiana, they are being decided by a common order. The petitioners are seeking the concession of bail under Section 439 of the Cr.P.C. in the FIR in question.

2. Learned counsel for the petitioners submits that as per the undertaking given on the last date of hearing by petitioner Saloni an amount in the sum of ₹7 lakhs had been given by her on 15.09.2023 to the complainant. It has been further submitted that since the petitioners

CRM-M-27186-2023
CRM-M-38277-2023

are in custody 04.11.2022 and as many as 03 prosecution witnesses including the complainant stand examined, further incarceration of the petitioners would serve no useful purpose as there could be no possibility of the witnesses being influenced or any material evidence being tampered with.

3. Per contra, learned State counsel while opposing the prayer made by learned counsel for the petitioner, on instructions from ASI Manohar Lal, has not been able to dispute that the complainant stands examined and as per undertaking given by petitioner Saloni on the last date of hearing, an amount of ₹7 lakhs has indeed been handed over by her and received by the complainant.

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

5. The petitioners have been in custody since 04.11.2022 in a magisterial trial. The trial is unlikely to conclude in the near future as 09 prosecution witnesses still remain to be examined. In the facts and circumstances as enumerated hereinabove, this Court deems it fit to extend the concession of bail to the petitioners.

6. Accordingly, the instant petitions are allowed. The petitioners be admitted to bail to the satisfaction of the Trial Court/Duty Magistrate concerned. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

20.09.2023

Vinay

(MANJARI NEHRU KAUL)
JUDGE

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