

219 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-34774-2023

Date of Decision:25.07.2023

Rekha

...Petitioner

vs.

State of Haryana

...Respondent

Coram : Hon'ble Mr. Justice N.S.Shekhawat**Present : Mr. Rishu Mahajan, Advocate, for the petitioner.**

Ms. Sheenu Sura, DAG, Haryana.

N.S.Shekhawat J. (Oral)

The petitioner has filed the instant petition under Section 439 of the Cr.P.C. with a prayer to grant a regular bail to her in case FIR No.614 dated 20.12.2019 registered under Sections 406, 420, 201 of IPC, at Police Station City Gohana, Sonipat.

Learned counsel for the petitioner contends that the petitioner had been falsely implicated in the present case and she had absolutely no role to play in the commission of offence. In fact, the petitioner herself had invested huge amount in GIPL Company and she was made Additional Director of the Company on 22.12.2018. However, she resigned from the said post on 01.02.2019 and had not participated in the affairs of GIPL Company nor she collected any amount nor lured any investor to deposit the money. In fact, this all was handi work of her husband. Learned counsel further contends that the petitioner is mother of three daughters and is taking care of all grand parents of the children. He further contends that one of the child is suffering from epilepsy. Learned counsel further contends that the petitioner was arrested in

the present case on 20.12.2022 and the investigation is complete. He further submits that further custody of the petitioner will serve no meaningful purpose and all the offences are triable by the Court of Magistrate. Thus, the conclusion of the trial will take quite a long time.

On the other hand, learned State counsel has vehemently opposed the grant of concession of bail to the petitioner on the ground that 70 more cases were registered against the present petitioner. However, she submits that all the 70 FIRs were merged in a single FIR No.206 of 2019, as per the orders passed by the Hon'ble Supreme Court. She further contends that one more FIR has been registered against the present petitioner. However, she does not dispute the fact that the petitioner is on bail on the said case.

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

It is not in dispute that the petitioner was arrested in the present case on 20.12.2022 and the challan has already been presented before the competent Court. All the offences are triable by the Court of Magistrate and further custody of the petitioner will serve no meaningful purpose.

Without commenting on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on bail subject to her furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate, concerned.

25.07.2023

hemlata

(N.S.SHEKHAWAT)
JUDGE

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