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**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

CRM-M-36873-2023

Date of Decision: 04.08.2023

Charanjit Kaur

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. Jaspreet Singh Brar, Advocate,
for the petitioner.

Mr. J.S. Arora, DAG, Punjab.

JASGURPREET SINGH PURI, J. (ORAL)

1. The present petition has been filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in case bearing FIR No.32 dated 07.05.2023, under Section 306 IPC (Section 120-B of the IPC added later on), registered at Police Station Hajipur, District Hoshiarpur.

2. It has been submitted by learned counsel for the petitioner that the petitioner is a lady of the age of 50 years and is in custody for 2 months and 11 days and she has been falsely implicated in the present case. He further submitted that as per the allegations, the deceased had committed suicide near the canal and information was provided by the complainant to the police and the FIR was against unknown persons. Thereafter, during the course of investigation, the complainant suffered a supplementary statement on the basis of which, another co-accused, namely, Manaro @ Krishna Devi,

who is also a lady, was nominated in the FIR and it was thereafter on the basis of another supplementary statement of the complainant, the name of the petitioner was also nominated based upon the further information. He also submitted that the petitioner has clean antecedents and is not involved in any other case and it was on the second supplementary statement of the complainant that her name was nominated by alleging that the petitioner and the other co-accused had formed a gang for extracting money from victim by honey trap and for tracking the peoples. He further submitted that the entire story is based upon the circumstantial evidence and the fact that the investigation of the case has already been completed and challan has also been presented by the police and therefore, the petitioner may be considered for the grant of regular bail. He also submitted that one of the other co-accused, namely, Mangat Masih, who was also nominated thereafter, has been granted interim anticipatory bail by this Court in CRM-M-33749-2023.

3. On the other hand, Mr. J.S. Arora, learned DAG, Punjab has stated that it is correct that the petitioner is in custody for 2 months and 11 days and the investigation of the case has been completed and the challan has also been presented before the competent Court. He further submitted that the name of the petitioner came to be surfaced on the basis of the second supplementary statement made by the complainant and it is a case where the petitioner along with other co-accused had formed a gang to extort the money from the persons. So far as the antecedents of the petitioner is concerned, he did not dispute the same and submitted on instructions from ASI Gurvinder Jit Singh that the petitioner is not involved in any other case.

4. I have heard the learned counsels for the parties.

6. The petitioner is a lady of the age of 50 years and is in custody for 2 months and 11 days and investigation of the case has already been completed. As per the learned counsel for the parties, the petitioner is not involved in any other case and has clean antecedents. Although the allegations against the petitioner were that she was part of the gang, who extracted money from the victim but these kind of allegations can be proved only at the time of trial and considering the background of the petitioner and the fact that she is a lady and that the investigation of the case has already been completed, this Court deems it fit and proper to grant regular bail to the petitioner.

7. Consequently, the present petition is allowed and the petitioner is ordered to be released on regular bail on furnishing bail bond/surety bond to the satisfaction of the trial Court/Duty Magistrate concerned, if not required in any other case.

8. However, anything observed hereinabove shall not be treated as an expression of opinion on merits of the case and is only meant for the purpose of decision of present petition.

04.08.2023

Bhumika

(JASGURPREET SINGH PURI)
JUDGE

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