

217 **IN THE HIGH COURT OF PUNJAB AND HARYANA**
AT CHANDIGARH

CRM-M-38817-2023

Date of Decision:16.08.2023

Isha Singla

...Petitioner

vs.

State of Punjab

...Respondent

Coram : Hon'ble Mr. Justice N.S.Shekhawat**Present :** Mr. Arshdeep Singh Brar, Advocate
for the petitioner.

Mr.M.S.Bajwa, Deputy Advocate General, Punjab.

Mr. Rahul Arora, Advocate
for the complainant.

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 regular bail to her in case FIR No.199 dated 04.06.2023 registered under Sections 420, 406, 465, 467, 471, 506, 120-B of IPC and Section 13 of Punjab Travel Professionals Regulation Act, at Police Station City Faridkot, District Faridkot.

Learned counsel for the petitioner submits that in the present case, the allegations have been targetted against Deepak Sharma and other co-accused and the petitioner was not named in the FIR. Learned counsel further contends that the petitioner has been falsely implicated in the present case as she happens to be real sister of Shikha Sharma wife of Deepak Sharma, main accused. Learned counsel further submits that in fact Deepak Sharma

could not be arrested by the police and he had allegedly left the country. Consequently, just to pressurize him, the petitioner was put behind bars and is in custody since 06.06.2023. Learned counsel further contends that investigation is almost complete and the challan is likely to be presented before the Competent Court of law.

On the other hand, learned State counsel as well as learned counsel appearing on behalf of the complainant have vehemently opposed the prayer made by learned counsel for the petitioner on the ground that the petitioner and her co-accused had cheated the complainant to the tune of Rs.7.78 lacs and she does not deserve the concession of bail. Learned State counsel further submitted that one more FIR i.e. FIR No. 202, dated 07.06.2023, under Sections 420, 406, 506, 120-B of IPC and Section 13 of Punjab Travel Professionals Regulation Act, at Police Station City Faridkot, District Faridkot was also registered against the petitioner on similar allegations. However, they admit that the petitioner has already been granted the concession of bail by this Court in the said case on 11.08.2023.

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

It is not in dispute that the petitioner is in custody since 06.06.2023 and the investigation is almost complete and the challan is likely to be presented before the Competent Court of law. Still further, the petitioner was not initially named in the present case and was nominated as an accused only during the course of investigation and her complicity in the crime is yet to be adjudicated by the learned trial Court.

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.

16.08.2023
hemlata

(N.S.SHEKHAWAT)
JUDGE

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