

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

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**CRM-M-42724-2022 (O&M)
Date of decision: 13.01.2023**

Rajwinder Kaur

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Kuldip Singh, Advocate for the petitioner.

Ms. Ishma Randhawa, Addl. AG Punjab.

HARNARESH SINGH GILL, J. (ORAL)

Through this 2nd petition filed under Section 439 of Cr.P.C., the petitioner seeks regular bail in case FIR No. 97 dated 16.05.2015 registered under Sections 419, 420, 465, 467, 468, 471 IPC, at Police Station Zira, District Ferozepur.

Learned counsel for the petitioner submits that the petitioner is a lady and having three minor children; that the main allegations are against Manjit Kaur, mother of the petitioner; that co-accused Manjit Kaur has already been granted regular bail by a Coordinate Bench vide order dated 05.09.2017; that the allegation is that the petitioner along with her mother and husband have forged the 'will' and adoption documents of the father of the complainant; that the charges have been framed and out of 25 prosecution witnesses none has been examined so far; that there is no other pending or decided case against the petitioner; that a civil suit is also pending between

the parties; that nothing is to be recovered from the petitioner and that the petitioner has been in custody since 06.02.2022.

Learned State counsel, while opposing the prayer for bail submits that the petitioner has actively participated in the crime. The petitioner was declared a proclaimed offender on 12.09.2016 and after absconding for a period of 06 years, she was arrested on 06.02.2022. However, he does not dispute the custody period of the petitioner and that there is no other case against the petitioner. He submits that out of 25 prosecution witnesses, none has been examined.

I have heard the learned counsel for the parties.

The petitioner has been in custody since 06.02.2022. The petitioner being a lady has to look after her three minor children. There is no other case against the petitioner. Co-accused Manjit Kaur-mother of the petitioner, has already been granted regular bail by a Coordinate Bench vide order dated 05.09.2017. The prosecution witnesses are yet to be examined. Therefore, the conclusion of the trial would take time. Hence, no useful purpose would be served by keeping the petitioner behind the bars.

In view of the above, without commenting anything on the merits, lest it should prejudice the case of either side, the petition is allowed and the petitioner is ordered to be released on regular bail on her furnishing bail and surety bonds to the satisfaction of the learned trial Court/Duty Magistrate.

(HARNARESH SINGH GILL)
JUDGE

13.01.2023
Mangal Singh

Whether reasoned/speaking?	Yes/No
Whether reportable?	Yes/No