

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

223

CRM-M-42211-2023

Date of decision: 04.09.2023

Gurjeet Kaur @ Gurjeet Bhardwaj @ Pinki @ Pooja Talwar

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Abhinav Gupta, Advocate
for the petitioner.

Mr. Rahul Mohan, Sr. DAG, Haryana
assisted by SI Gian Chand.

Mr. Narinder S. Lucky, Advocate
for the complainant.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking the concession of bail under Section 439 of the Cr.P.C. in case FIR No.66 dated 02.07.2015 under Sections 406/420/419/467/468/471/120-B of the IPC registered at Police Station Panjokhara, District Ambala.

2. Learned counsel for the petitioner inter alia contends that on a bare perusal of the FIR which has been annexed as Annexure P-1 it clearly comes across that it is a case of false implication as there is no specific allegation levelled against the petitioner qua any inducement having been made to the complainant to part with any amount of money or any forgery having been committed by her. It has been further submitted that the only allegation levelled against the petitioner is that an amount of ₹35,000/- was deposited in her bank account. It has been

submitted that the said amount had been deposited in the bank account of the petitioner only on a request made by prime accused Neelu Suri. Learned counsel has further submitted that it is a matter of record that both the prime accused Neelu Suri as well as co-accused Pankaj Talwar, who is identically placed as the petitioner, had been extended the concession of regular bail. Learned counsel has submitted that in the aforementioned facts and circumstances, the petitioner be extended the concession of bail as she has now been in custody since 23.05.2023; the investigation stands completed and thus her further incarceration would serve no useful purpose.

3. Per contra, learned State counsel assisted by learned counsel for the complainant, while opposing the prayer made by learned counsel for the petitioner, has not been able to controvert that the case of the petitioner is at par with that of co-accused Pankaj Talwar, who has since been enlarged on bail, and still further prime accused Neelu Suri is also on bail. Learned State counsel has still further not disputed that the investigation in the case in hand is complete as challan stands presented. He has, however, submitted that charges have not been framed and are likely to be framed on the next date fixed before the Trial Court i.e. 13.09.2023.

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

5. The case in hand is triable by Magistrate. The trial is unlikely to conclude in the near future as even charges have not yet been framed. In the facts and circumstances and keeping in view the nature of allegations levelled against the petitioner, who has been in

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custody since 23.05.2023, this Court deems it fit to extend the concession of bail to the petitioner.

6. Accordingly, the instant petition is allowed. The petitioner 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.

04.09.2023

Vinay

(MANJARI NEHRU KAUL)
JUDGE

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