

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

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CRM-M-44172-2023

Date of decision: 13.09.2023

Mandeep Kaur and another

.....Petitioners

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Karandeep S. Sidhu, Advocate
for the petitioners.

Mr. Amit Rana, Sr. DAG, Punjab.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioners are seeking the concession of bail under Section 439 of the Cr.P.C. in case FIR No.41 dated 01.03.2023 under Sections 408/120-B of the IPC (Sections 420/467/468/471/212 of the IPC added lateron) registered at Police Station Division 6, District Police Commissionerate Luudhiana, District Ludhiana.

2. Learned counsel for the petitioners inter alia submits that the petitioners have been falsely implicated in the case in hand only because they were related to co-accused Manpreet Singh and Jaspreet Singh who in turn were related to the prime accused Harminder Singh. Learned counsel submits that the petitioners were now being sought to be dragged into the case in hand only for allegedly giving shelter to co-accused Manpreet Singh and Jaspreet Singh. It has been further submitted that there are no allegations levelled against the petitioners of having misappropriated any amount nor has any recovery of any money been effected from the petitioners. It has been further submitted that the

petitioners have clean antecedents as they are not involved in any other criminal case. A prayer has, therefore, been made that since investigation is complete, but charges have not been framed, there is no likelihood of the trial concluding in the near future, further incarceration of the petitioners would serve no useful purpose.

3. Per contra, learned State counsel while opposing the prayer made by learned counsel for the petitioner, on instructions from ASI Harcharan Singh, has not been able to dispute that there are no allegations levelled against the petitioners of having misappropriated any amount of money along with prime accused Harminder Singh, however, he submits on instructions, that co-accused Manpreet Singh and Jaspreet Singh had sought shelter in the house of the petitioner and, hence, it was obvious that they too had connived with the other accused in the crime in question. Learned State counsel has not disputed that challan has been presented and as many as 27 prosecution witnesses have been cited, however, he submits that the charges are likely to be framed on the next date i.e. 18.09.2023.

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

5. The petitioners have been in custody since 18.04.2023 and they are not stated to be involved in any other criminal case. As not disputed by the learned State counsel neither are there any allegations against the petitioners of having misappropriated any amount nor any recovery of money has been effected from their possession. In the facts and circumstances as enumerated hereinabove and keeping in view the nature of allegations levelled, this Court deems it fit to extend the

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concession of bail to the petitioners.

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

13.09.2023

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(MANJARI NEHRU KAUL)
JUDGE

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