

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

**CRM-M-45175-2023
Date of decision : 06.12.2023**

Jarina Bano Fakrudin Saiyad

...Petitioner

Versus

State of Haryana

...Respondents

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Vikram Singh, Advocate, for the petitioner.

Mr. Vikram Singh, AAG., Haryana.

Mr. Arun Sharma, Advocate for the complainant.

MAHABIR SINGH SINDHU, J.

Present petition has been filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the petitioner in FIR No.767 dated 18.08.2022, under Sections 120B, 406, 420, 467, 468, 471 of IPC and Section 24 of Emigration Act, 1983, registered at Police Station, Sadar Karnal, District Karnal.

2. Allegations are that the petitioner alongwith other co-accused committed a fraud of Rs. 40,80,000/- and provided fake visa and fake stamps on the passports of Ashish, Rahul, Neeraj and others on the pretext of sending them abroad.

3. This Court granted interim bail to the petitioner on 15.09.2023, in the following manner:-

“Contends that petitioner is in custody since 26.12.2022 and challan has already been presented. Further contends that charges have also been framed in this case and there is no other criminal case pending against the petitioner.

Notice of motion.

On asking of the Court, Mr. Vikram Singh, AAG, Haryana accepts notice on behalf of the respondent.

Mr. Arun Sharma, Advocate has filed Memo of Appearance on behalf of the complainant.

Learned State counsel will verify the above factual position.

Posted for 17.10.2023.

In the meantime, petitioner be released on interim bail in the present case till the next date of hearing on her furnishing adequate bail and surety bonds subject to the satisfaction of learned trial Court/CJM/Duty Magistrate concerned.”

4. Learned counsel for the petitioner contends that the matter has been amicably settled between the petitioner and the complainant. Further contends that she is regularly appearing before learned trial Court. There is also no apprehension to either the prosecution witnesses or that she is likely to hamper the trial, in any manner.
5. Learned State Counsel, on instructions from SI-Manoj Kumar and learned counsel for complainant fairly acknowledge the above factual position.
6. Heard learned counsel for both the sides and perused the paper book.
7. Petitioner was granted interim bail by this Court on 15.09.2023 and the matter has been amicably settled between the parties. She is regularly appearing before the Court below; there is no allegation that petitioner is likely to misuse the concession of bail or hamper the proceedings in any manner, in case her interim bail is made absolute; thus, sending her to custody at this stage would not serve any purpose.
8. Consequently, present petition is disposed off. Interim bail granted to the petitioner, vide order dated 15.09.2023, is made absolute. She shall be admitted to bail on furnishing bail/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.
9. Petitioner shall appear on each & every date and fully co-operate with the learned trial Court without seeking any unnecessary adjournment(s).
10. The above observations may not be construed as an expression of opinion on the merits of the case.
11. It is clarified that in case there is any misuse of concession by the petitioner, State of Haryana would be at liberty to move an appropriate application for recalling of this order.
12. Pending application(s), if any, shall also stand disposed off.

06.12.2023
Harish Kumar

(MAHABIR SINGH SINDHU)
JUDGE

Whether speaking / reasoned :	Yes	No
Whether Reportable :	Yes	No