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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-48151-2023
Date of decision: 07.11.2023

SUKHVIR KAUR ALIAS SUKHBIR KAUR

...Petitioner

VERSUS

STATE OF PUNJAB

...Respondent

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present:- Mr. Kanwaljeet Singh Brar, Advocate for the petitioner.

Mr. Harsimar Singh Sitta, DAG, Punjab.

JASGURPREET SINGH PURI, J. (Oral)

1. The present petition has been filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in case bearing FIR No.65 dated 14.03.2023, under Sections 406, 420, 120-B and 201 of the IPC, registered at Police Station Kharar, District SAS Nagar, Punjab.

2. Learned counsel for the petitioner submitted that the petitioner is a lady of the age of 47 years and she is in custody from 12.05.2023. He further submitted that the investigation of the case has already been completed and thereafter, challan has also been presented under Section 173 Cr.P.C. He also submitted that the present is a case which is triable by Magistrate and the allegations against the petitioner are financial in nature and the same can only be seen at the time of trial which will take long time to conclude and therefore, the petitioner may be considered for grant of regular bail.

3. On the other hand, Mr. Harsimar Singh Sitta, DAG, Punjab submitted that it is correct that the petitioner is in custody from 12.05.2023 and

the investigation of the case has already been completed and challan has also been presented. He further submitted that however the petitioner is involved in one more case of similar nature.

4. I have heard the learned counsel for the parties.

5. The petitioner is a lady of the age of 47 years and is in custody from 12.05.2023, which is almost 6 months. The investigation of the case has already been completed and challan has also been presented before the competent Court and the present is a case which is triable by Magistrate. Furthermore, it is not the case of the learned State counsel that in case the petitioner is released on bail, then she may influence any witness or may tamper with evidence or may flee from justice.

6. Therefore, considering the aforesaid totality and circumstances of the present case, this Court deems it fit and proper to grant regular bail to the petitioner.

7. Consequently, the present petition is allowed. The petitioner shall be released on regular bail, if not required in any other case, subject to furnishing bail bonds/surety bonds to the satisfaction of the learned trial Court/Duty Magistrate concerned.

8. However, anything observed hereinabove shall not be treated as an expression of opinion on the merits of the case and is meant for the purpose of deciding the present petition only.

07.11.2023
Chetan Thakur

(JASGURPREET SINGH PURI)
JUDGE

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