

2023:PHHC:045845

In the High Court for the States of Punjab and Haryana
At Chandigarh

I) CRM-M-55469-2022 (O&M)

Anita ... Petitioner

Versus

State of Punjab ... Respondent

II) CRM-M-55473-2022 (O&M)

Ambika Devi ... Petitioner

Versus

State of Punjab ... Respondent

Date of Decision:-28.3.2023

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Vikasdeep Singh, Advocate for the petitioner(s).

Mr. Luvinder Sofat, DAG, Punjab,
assisted by Inspector Satavtar Singh.

GURVINDER SINGH GILL, J. (Oral)

1. This order shall dispose of the above mentioned two petitions filed on behalf of petitioners Anita and Ambika Devi seeking grant of regular bail in respect

of a case registered vide FIR No.05, dated 9.3.2017 at Police Station Vigilance Bureau, Jalandhar Range, District Jalandhar, under Sections 409, 420, 467, 468, 471, 120-B of Indian Penal Code and Sections 13(1)(d) and 13(2) of Prevention of Corruption Act, 1988.

2. The allegations, in nutshell, are that the petitioners had availed loan from State Bank of Patiala (now State Bank of India) on the basis of forged documents. While petitioner - Ambika Devi (in CRM-M-55473-2022) is stated to have availed loan facility of Rs.28 lakhs, the petitioner - Anita (in CRM-M-55469-2022) is alleged to have taken loan facility of about Rs.20 lakhs on the basis of forged documents.
3. Learned counsel for the petitioners submits that the petitioners have been falsely implicated in the present case and that, in any case, since investigation already stands concluded, further detention of the petitioners is not required for any useful purpose.
4. Opposing the petitions, learned State counsel has submitted that it is a case where FIR was lodged way back in the year 2017 and the petitioners had earlier been evading arrest and had also been declared proclaimed offenders. Learned State counsel has, however, informed that the petitioners as on date have been behind bars since the last about 5 months and 25 days. It has also been informed that while charges have been framed but none out of the cited 22 PWs has been examined till date.
5. This Court has considered the rival submissions addressed before this Court.
6. Without commenting anything as regards the merits of the case but while having regard to the custody of the petitioners, who are ladies and have been behind bars for a substantial period of about 5 months and 25 days and also

bearing in mind the fact that conclusion of trial is likely to take some time inasmuch as none out of the cited 22 PWs has been examined so far, further detention of the petitioners will not serve any useful purpose. Both the petitions, as such, are accepted and the petitioners are ordered to be released on regular bail on their furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

7.
- A copy of this order be placed on the file of connected case.

28.3.2023
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(Gurvinder Singh Gill)
Judge

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No