

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

CRM-M-730-2024

Date of Decision:16.01.2024

Mukesh Kumari

...Petitioner

Vs.

State of Haryana

...Respondent

Coram : Hon'ble Mr. Justice N.S.Shekhawat

Present: Mr. Vansh Malhotra, Advocate
for the petitioner.

Mr. Gaurav Gurcharan Singh Rai, DAG, Haryana.

N.S.Shekhawat J.

1. The petitioner has filed the present petition under Section 439 Cr. P.C with a prayer to grant regular bail to her in case FIR No.289 dated 31.05.2023, under Sections 406,420, 120-B, of IPC registered at Police Station Krishana Gate, Thanesar, District Kurukshetra.

2. Learned counsel for the petitioner contends that the petitioner has been falsely involved in the present case. Learned counsel further contends that the story of the prosecution is highly unbelievable as no person would handover such a huge amount without any documentary evidence. As per the learned counsel, the alleged incident is of 2017/18, whereas the FIR in the present case was got registered by the complainant on 31.05.2023. After the registration of the FIR, the petitioner was arrested on 01.06.2023 and she is continuing in custody since then. Learned counsel further contends that the final report under Section 173 Cr.P.C has already been presented and the custody of the petitioner will not serve any meaningful purpose. In February 2018, a *Panchayat* was held

in the presence of the respectables and both the parties had resolved their disputes, however, the complainant side did not abide by the terms of the compromise. Learned counsel next contends that the similarly placed co-accused namely Renu Bala @ Renu Kumari and Jasdev Singh have already been granted the concession of bail by this Court vide Annexure P-3 and Annexure P-4 respectively. Learned counsel further contends that all the offences in the present case are triable by the Court of Magistrate and no purpose would be served by keeping the petitioner behind the bars.

3. On the other learned State counsel has vehemently opposed the submissions made by learned counsel for the petitioner on the ground that the serious allegations have been levelled against the present petitioner and does not deserve the concession of bail. The petitioner and her co-accused had cheated the number of persons/rustic villagers to the tune of Rs.41 lacs. Thus, the petition is liable to be dismissed.

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

5. This Court is of the considered opinion that the present petition deserves to be allowed by this Court. The petitioner was arrested in the present case on 01.06.2023 and is in custody since last about 07 months. All the offences are triable by the Court of Magistrate and no useful purpose will be served by keeping the petitioner behind the bars. Still further, similarly placed co-accused namely Renu Bala @ Renu Kumari and Jasdev Singh have already been granted the concession of bail by this Court vide Annexure P-3 and Annexure P-4 respectively.

6. Without commenting on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on bail subject to her

furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Duty
Magistrate/Chief Judicial Magistrate, concerned.

16.01.2024
hitesh

(N.S.SHEKHAWAT)
JUDGE

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