

213 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-4496-2024

Date of Decision: 13.03.2024

Shivani Sharma

...Petitioner

vs.

State of Punjab

...Respondent

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

Present : Mr. Shivam Joshi, Advocate
for the petitioner.

Mr.M.S.Bajwa, Deputy Advocate General, Punjab.

Mr. Deepak Achint, Advocate
for the complainant.

N.S.Shekhawat J. (Oral)

1. The petitioner has filed the instant petition under Section 439 of the Cr.P.C. with a prayer to grant regular bail in case FIR No.180 dated 01.09.2023 registered under Sections 420, 34, 120-B of IPC and Sections 465, 467, 468, 471 of IPC added later on, at Police Station Chheharta, District Police Commissionerate, Amrisar.

2. Learned counsel for the petitioner submits that the petitioner himself is a victim at the hands of the main accused Robin. He further contends that after completion of her graduation, the petitioner was willing to go abroad and had approached Robin, co-accused in August, 2022 in this regard. She also paid a sum of Rs. 2-2.5 lakhs to Robin for the said purpose. However, she was not sent abroad. He further contends that in fact, the account of the petitioner was misused by Robin, for accepting money from certain victims. Learned counsel further contends that the petitioner is in custody since 29.09.2023 and is at an advanced

stage of pregnancy. Even challan has already been presented against the present petitioner and the conclusion of the trial may take quite a long time. Apart from that, Narinder Singh Mann and Sahil Arora @ Kaka, co-accused have already been granted the concession of bail by this Court, vide order dated 29.01.2024 passed in CRM-M-63263 of 2023 and vide order dated 07.02.2024 passed in CRM-M-5339-2024, respectively.

3. On the other hand, learned State counsel assisted by learned counsel for the complainant have vehemently opposed the submissions made by learned counsel for the petitioner on the ground that there are serious allegations against the present petitioner and she does not deserve the concession of bail by this Court.

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

5. It is not disputed that similarly placed co-accused, namely, Narinder Singh Mann and Sahil Arora @ Kaka, co-accused have already been granted the concession of bail by this Court, vide order dated 29.01.2024 passed in CRM-M-63263 of 2023 and vide order dated 07.02.2024 passed in CRM-M-5339-2024, respectively. Moreover, the petitioner is in custody since 29.09.2023 and the final report under Section 173 Cr.P.C. has already been presented against her.

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.

(N.S.SHEKHAWAT)
JUDGE

13.03.2024.
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Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No