

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M No.15142 of 2024
Date of Decision: 03.04.2024

LAKHWINDER KAUR
Vs
STATE OF PUNJAB
.....Petitioner
....Respondents

CORAM: *HON'BLE MR. JUSTICE HARKESH MANUJA*

Present: Mr. J.K. Singla, Advocate
for the petitioner.

Mr. Athar Ahmed, DAG, Punjab.

HARKESH MANUJA, J. (Oral)

1. By way of present petition filed under Section 439 Cr.P.C., prayer has been made for grant of regular bail to the petitioner in case bearing FIR No.6 dated 05.01.2024 registered under Sections 420 & 506 IPC (Act No.45 of 1860) at Police Station Boha, District Mansa, Punjab.
2. Learned counsel for the petitioner submits that the petitioner has been implicated having committing fraud of Rs.24,00,000/- from the complainant along with the co-accused.
3. The prayer made on behalf of the petitioner has been opposed at the instance of learned State counsel while referring to the role attributed to the petitioner besides the custody period being around 03 months only.
4. I have heard learned counsel for the parties and gone through the paper book. I find substance in the submissions made by learned counsel for the petitioner.

5. In the present case, the investigation has already been concluded with filing of challan and the petitioner has already suffered incarceration for a period of almost 3 months as of now and no useful purpose is going to be served by keeping her behind the bars upon completion of investigation as her custodial interrogation is not even required. Moreover, the petitioner volunteers to compensate the complainant as an interim measure for a non-refundable sum of Rs.2,00,000/- (Rupees Two Lacs only) without prejudice to her rights in the trial.

6. Considering the totality of facts and circumstances of the case and the allegations levelled against the petitioner, I do not find any justification to extend her incarceration.

7. Accordingly, without expressing any opinion 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 adequate bail bonds and surety bonds to the satisfaction of the concerned Trial Court/Duty Magistrate and deposit of non-refundable sum of Rs.2,00,000/- (Rupees Two lacs only) without prejudice to her rights during trial, with the Trial Court at the time of her release, which shall be released in favour of the complainant upon due verification.

April 03, 2024
Atik

(HARKESH MANUJA)
JUDGE

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