

2024:PHHC:069426



**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

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CRM-M-17463-2024 (O&M)
Date of decision: May 16, 2024

HARINDER KAUR @ HARINDER KAUR SARPANCH

.....Petitioner

Versus

STATE OF PUNJAB

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. G.S. Simble, Advocate
for the petitioner.

Mr. Amit Rana, Senior Deputy Advocate General, Punjab
with ASI Harpreet Singh.

Mr. Manish Verma, Advocate
for the complainant.

MANJARI NEHRU KAUL, J. (ORAL)

CRM-21421-2024

The instant application has been filed under Section 482 Cr.P.C. for placing on record correct translation typed copy of FIR No.23 dated 14.02.2024 under Sections 419, 420, 465, 467, 468, 471, 120-B of the IPC, 1860 and Section 82 of the Indian Registration Act, 1980, registered at Police Station Sidhwan Bet, District Ludhiana as Annexure P-3.

For the reasons mentioned in the instant application, the same is allowed and Anenxure P-3 is taken on record.

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1. The instant petition has been filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the petitioner in case FIR No.23 dated 14.02.2024 (Annexure P-1) under Sections 419, 420, 465, 467,



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468, 471, 120-B of the Indian Penal Code, 1860 and Section 82 of the Indian Registration Act, 1980, registered at Police Station Sidhwan Bet, District Ludhiana.

2. Learned counsel for the petitioner submits that even as per the case of the prosecution, other than the presence of the petitioner being shown at the time of the alleged transactions, when some money was handed over to co-accused i.e. husband of the petitioner, no other role had been attributed to her, much less of the petitioner inducing the complainant to part with the said money or enter into any transaction. Learned counsel submits that investigation in the case at hand is complete and even charges stands framed on 10.05.2024, however, none of the 17 witnesses cited by the prosecution have been examined so far. Hence, the trial would take considerable time to conclude. In the circumstances, learned counsel has prayed that the petitioner be enlarged on bail.

3. Learned State counsel, assisted by learned counsel for the complainant, has vehemently opposed the prayer and submissions made by the counsel opposite. The factual aspect of the role attributed to the petitioner has not been disputed by the learned State counsel. However, learned counsel for the complainant has submitted that being the wife of prime-accused Jarnail Singh, who is still at large, she clearly came across as a conspirator to the crime in question; she had been enjoying the money which had been fraudulently obtained by co-accused Jarnail Singh from the complainant. On a pointed query put to the learned State counsel, he has not disputed the stage of trial.



4. I have heard learned counsel for the parties and perused the relevant material placed on record.
5. The petitioner has been in custody since 14.02.2024 in a magisterial trial. The trial would take considerable time to conclude.
6. In the facts and circumstances as enumerated hereinabove, particularly the role attributed to the petitioner coupled with the fact that it is a case hinging on documentary evidence, this Court deems it fit to extend the concession of regular bail to the petitioner as there can be no apprehension of the petitioner tampering with evidence.
7. The petition as such is allowed, and the petitioner be admitted to bail to the satisfaction of the trial Court/Duty Magistrate. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

May 16, 2024
Jaspreet Kaur

(MANJARI NEHRU KAUL)
JUDGE

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