



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

CRM-M No.30618 of 2024

Date of decision: 14th November, 2024

Gur Inder Kaur @ Gurinder Kaur @ Sonia

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Veneet Sharma, Advocate for the petitioner.

Mr. Mohit Kapoor, Addl. Advocate General, Punjab
for the respondent/State.

MANJARI NEHRU KAUL, J.

1. The petitioner is seeking the concession of bail under Section 439 Cr.P.C. in case FIR No.39 dated 04.04.2024 under Sections 489-A, 489-B and 489-C of the IPC (Section 489-D IPC added later on) registered at Police Station Sadar Batala, Police District Batala.

2. Learned counsel for the petitioner submits that the petitioner, a woman, has been in custody since 04.04.2024, with no prospect of the trial concluding soon. It has been further submitted that to date, none of the prosecution witnesses had been examined, even though challan stands presented and charges framed. It has been further argued that the petitioner was allegedly seated in a car with her husband, co-accused Sukhbir Singh, when counterfeit currency notes were found in a bag inside the vehicle. Learned counsel contends that these

allegations against the petitioner are entirely false, and additionally, she is suffering from severe depression, for which she is currently receiving treatment even inside the jail. A prayer has therefore, been made for extending the concession of bail to the petitioner, as her further incarceration would serve no useful purpose.

3. Per contra, learned State counsel while opposing the prayer and submissions made by the counsel opposite, on instructions, has not disputed the custody period of the petitioner, the stage of trial and also the fact that no prosecution witness has been examined till date, despite the charges having been framed more than 2 months ago. Learned State counsel has reiterated the allegations levelled in the FIR in question, which stands reproduced hereunder:

“Officer Incharge, Police Station Batala. Sat Sri Akal. today I, ASI along with Satnam Singh No. 2288, HC Dharminder Singh No. 2157/Batala, HC Lovejinder Singh No. 1741/Batala, Lady constable Shilpa Bhatia No.2118 on private vehicles along with laptop, printer along with investigating kit in connection with patrolling and looking for bad elements were going from police station Sadar Batala to Dheer, Mulianwala, Sounian, Sarsubhabhak, Hardo Chande etc. and when the police party while patrolling reached near highway village Dheer, then secret informer gave information to me that Sukhbir Singh son of Tara Singh and Gur Inder Kaur wife of Sukhbir Singh residents of village Bhattiake, P.S. Tarsika, District Amritsar do the business of counterfeit Indian currency and today on their car No. PB-02-DW-3808 Colour black make Verna are coming for giving counterfeit currency from

Amritsar side to Batala side to give it to someone and in case nakabandi is done near village Saidmubarak, and vehicles are checked then they can be apprehended with counterfeit currency. The information being solid, believable and true, on offences under section 489-A, 489-B, 489-C IPC, ruqa is being sent through HC Dharminder Singh No. 2157/Batala to P.S. Sadar Batala. Case be registered and number be informed. Control room be informed through wireless. Special reports be sent to Senior officers. I ASI along with colleagues am leaving for doing nakabandi and special vehicle checking at highway village Saidmubarak. Sd/- Ravinder Singh, ASI P.S. Sadar Batala. Dated. 4.4.2024. Today in the area of village Dheer at 7.00 p.m. "

4. Learned State counsel, on further instructions, has also submitted that another case of similar nature has been registered against the petitioner; in that case although the petitioner was not initially named, she was subsequently impleaded based on a disclosure statement.

5. I have heard learned counsel for the parties and perused the relevant material on record.

6. The petitioner has now been in custody since 04.04.2024. The entire case of the prosecution is based on documentary evidence, which is already part of the challan, hence, there could be no possibility of the petitioner tampering with evidence. Trial is unlikely to conclude in the near future. In the facts and circumstances, as enumerated hereinabove, this Court thus deems it fit to extend the concession of bail

to the petitioner. The petition as such is allowed and the petitioner is 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.

(MANJARI NEHRU KAUL)
JUDGE

November 14, 2024
rps

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