



CRM-M No.31445-2024 1

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

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CRM-M No.31445-2024 (O&M)
Date of Decision: 17.12.2024

Harpreet KaurPetitioner

Versus

State of PunjabRespondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Sandeep Verma, Advocate for the petitioner.
Mr. T.P.S.Walia, AAG, Punjab.
Ms. Archana Puhanian, Advocate for the complainant.

MAHABIR SINGH SINDHU, J.

Present second petition has been filed, under Section 439 of the Code of Criminal Procedure, 1973 for seeking bail pending trial in FIR No. 322 dated 13.10.2021, under Sections 406 and 420 of Indian Penal Code, 1860 (for short 'IPC'), registered at Police Station City Faridkot, District Faridkot.

2. Above FIR was registered on statement of *de facto* complainant-Jagmeet Singh with the allegations that petitioner along with her husband-Beant Singh cheated him for a sum of Rs.11,42,000/- on pretext of settling him at Canada as a permanent resident, however, they failed to do so and did not return the said amount.

3. Contends that petitioner was arrested in the present case on 12.09.2023 and after remaining in custody for about 01 year was granted interim bail by this Court on 25.09.2024. Further contends that in pursuance of the aforesaid order, she is regularly appearing before learned trial Court



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allegation that petitioner is likely to misuse the concession or hamper the proceedings in any manner.

4. *Per contra*, learned State Counsel, on instructions from quarter concerned, has fairly conceded the above factual position and submits that petitioner is regularly appearing before learned trial Court. Also acknowledged that petitioner has not misused the concession of interim bail granted by this Court on 25.09.2024.

5. Heard learned counsel for both the sides and perused the paper book.

6. This Court granted interim bail to the petitioner on 25.09.2024 in the following manner:-

“Learned State counsel has produced custody certificate dated 24.09.2024, which is taken on record. Registry to tag the same at appropriate place.

Contends that petitioner is in custody since 12.09.2023; charges were framed on 18.01.2024 and out of total 13 PWs, only 06 PWs have been examined till date.

Learned State counsel seeks time to have instructions in the matter.

Posted for 13.11.2024 for further consideration.

In the meanwhile, petitioner be released on interim bail in the present case till the next date of hearing on furnishing adequate bail and surety bonds subject to the satisfaction of learned trial Court/CJM/Duty Magistrate concerned.”

7. Learned State counsel has duly acknowledged that petitioner is regularly appearing before learned trial Court and there is no allegation that in case, interim bail is made absolute, she is likely to misuse the concession or hamper the proceedings in any manner. There has been no progress of trial after grant of interim bail to petitioner. In such a scenario, sending the petitioner to custody at this stage would not serve any purpose.

8. Consequently, present petition is allowed. Interim bail granted to the petitioner, vide order dated 25.09.2024, is made absolute. She shall be admitted to bail on furnishing bail/surety bonds to the satisfaction of



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learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

9. Petitioner shall appear on each & every date of hearing and to fully co-operate with learned trial Court without seeking any unnecessary adjournment(s).

10. The above observations be not construed as an expression of opinion on the merits of the case.

11. It is clarified that in case there is any misuse of concession by the petitioner, State would be at liberty to move an appropriate application for recalling of this order.

Pending application(s), if any, shall also stand disposed off.

17.12.2024
Rajeev (rvs)

(MAHABIR SINGH SINDHU)
JUDGE

Whether speaking/reasoned	Yes
Whether reportable	No