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

CRM-M-50674-2024**Date of Decision: 14.11.2024**

Urvashi Goel

...Petitioner

vs.

State of Punjab

...Respondent

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

Present : Mr. Keshavam Chaudhari, Advocate, for the petitioner.
Mr. I.P.S. Sabharwal, DAG, Punjab.

N.S.Shekhawat J. (Oral)

1. The petitioner has filed the instant petition under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 with a prayer to grant regular bail in case FIR No.122 dated 22.06.2024 registered under Sections 406, 420, 120-B of IPC and Section 24 of the Immigration Act, 1983, at Police Station Khanna City-2, Khanna.

2. The FIR in the present case was got registered by Amanjot Singh, by alleging that the accused had cheated him to the tune of Rs.35 lacs on the pretext of sending him abroad. Learned counsel for the petitioner contends that as per the allegations levelled by the complainant, she had received only a sum of Rs.85,000/-, out of total a sum of Rs.35 lacs. Learned counsel further contends that even she is maintaining the said amount with her daughter Aditi Goel. He further contends that the matter is primarily of civil nature and the petitioner has been wrongly arrested in the present case on 24.06.2024. He further contends that the offences in the present case are triable by the Court of Magistrate and after completion of the investigation, the final report under Section 173 Cr.P.C. has already been presented before the Court on 21.08.2024.

Even after presentation of challan, the matter is still pending before the Court and the trial is yet to formally commence against her. Thus, there are no chances of early conclusion of the trial in the present case

3. On the other hand, status report by way of an affidavit of Deputy Superintendent of Police, Police District Khanna, District Ludhiana has been filed by learned State counsel in Court today and the same is taken on record. Learned State counsel has vehemently opposed the submissions made by learned counsel for the petitioner on the ground that the petitioner is involved in one more FIR of similar nature and she is also one of the accused, who had received the amount in the present case.

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

5. The petitioner is a lady, who is aged about 56 years and was arrested in the present case on 24.06.2024. After completion of investigation, final report under Section 173 Cr.P.C. was presented on 21.08.2024, but the charge is yet to be framed against the petitioner. Thus, further custody of the petitioner will not serve any meaningful purpose.

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.

14.11.2024.
hemlata

(N.S.SHEKHAWAT)
JUDGE

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