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IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM-M-51908-2024
Date of decision:-08.11.2024

KULDEEP KAUR
... Petitioner
Versus
STATE OF PUNJAB AND ANOTHER
... Respondent

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY.

Present:- Mr. Naresh Chander, Advocate for the petitioner.
Mr. Ankit Grewal, DAG, Punjab.

SANJIV BERRY, J.(ORAL)

Learned State counsel has filed custody certificate dated 05.11.2024, the same is taken on record, copy thereof has been supplied to the counsel opposite.

2. The instant petition has been preferred by the petitioner under Section 483 of the Bharatiya Nagarik Suraksha, Sanhita, 2023 (BNSS) for grant of regular bail in the following case (Annexure P-1):-

FIR No.	Dated	Sections	Police Station
51	01.04.2024	420, 464, 468, 471, 120-B IPC	City Malout, District Shri Muktsar Sahib

3. Arguments heard.

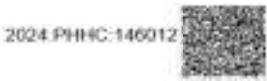
4. It is *inter alia* contended by learned counsel for the petitioner that the petitioner is innocent and has been falsely implicated in this case. He



submits that the petitioner is a lady having 6 months pregnancy and having a minor child aged about 1 year and 7 months and is in custody since 25.05.2024 and after completion of investigation, challan has already been presented in Court. He submits that the petitioner is not having any other criminal case registered against him, as such he prays for grant of concession of bail to the petitioner.

5. *Per contra*, learned State counsel has opposed the bail application by arguing that petitioner and her husband had cheated the complainants on false promise of providing job in Railway Department for which they had demanded an amount of ₹5,00,000/- and the amount in question has been deposited in the account of the petitioner, as such prays for dismissal of the bail petition. However, he has admitted that challan has already been present in Court for trial and the petitioner is not having any other criminal antecedents.

6. After considering the rival contentions and perusing the record, it transpires that as per the case of the prosecution petitioner alongwith her husband had duped complainant Pardeep kaur and Charanjit Kaur by making false promise of providing job in the Railway Department where her husband is working as T.T and demanded ₹5,00,000/- and the complainants had deposited the amount in question in the account of the petitioner. Petitioner is a pregnant lady and is in custody since 25.05.2024, after completion of investigation, challan has already been presented and the conclusion of the trial in the present case triable by the Court of Magistrate will take sufficient long time to ascertain criminal liability, if any, of the petitioner.



7. In these circumstances, without commenting on the merits of the case, it is observed that no purpose would be served by keeping petitioner behind bars. Therefore, the present petition is allowed. The petitioner is ordered to be released on bail subject to furnishing bail bonds/surety bonds to the satisfaction of learned Trial Court concerned, if not required in any other case; undertaking to regularly appear on each and every date; not to leave the country without prior permission of the Court; and not to tamper with evidence of prosecution in any manner.

8. Any observation made above shall not be construed as opinion of this Court on the merits of the case.

(SANJIV BERRY)
JUDGE

08.11.2024
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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |