

[224] IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-60897-2023
Date of Decision : 05.02.2024

Kiran Bala ...Petitioner
versus
State of PunjabRespondent

Coram : HON'BLE MR. JUSTICE DEEPAK GUPTA

Present : Mr. H.S. Dhindsa, Advocate for the petitioner.
Mr. Karunesh Kaushal, AAG, Punjab.

DEEPAK GUPTA, J. (ORAL)

[1] The petitioner is seeking regular bail by way of petition filed under Section 439 Cr.P.C in case FIR No.383, dated 22.11.2019 under Sections 419, 420, 465, 467, 468, 471 and 120-B IPC, registered at Police Station Division No.8, Ludhiana.

[2] Status report by way of affidavit dated 05.02.2024 of Shri Jatin Bansal, PPS, Assistant Commissioner of Police, Civil Lines, Ludhiana, on behalf of the respondent-State, in compliance of order dated 08.12.2023 has been filed in Court today. The same is taken on record. Copy thereof supplied to the counsel opposite.

[3] It is alleged that main accused are Arun Kumar and Vikas Kumar, who used to target innocent persons and allured them to invest in insurance policies and encash the same by making fake bank accounts by way of impersonation.

[4] The attribution to the petitioner is that being mother of Arun Kumar and Vikas Kumar, they used to give the amount to the petitioner and that petitioner invested an amount of Rs.60,00,000/- by way of FDRs.

Besides she also purchased gold ornaments, weighting 57 grams-120 mg., besides cash of Rs.13,00,000/-.

[5] Learned counsel for the petitioner contends that petitioner has been falsely implicated; that she is not named in the FIR; there is no allegation of fraud, forgery or impersonation against the petitioner; that recovery has already been effected as per the status report; that she is in custody since 14.09.2023 and so she be allowed bail.

[6] Learned State Counsel, on instructions from ASI Baldev Singh, conceded the fact that main allegations regarding fraud, forgery or impersonation are against Arun Kumar and Vikas Kumar. It is also conceded that recovery has already been effected. All the offences in questions are triable by Magistrate.

[7] Petitioner is in custody since 14.09.2023 i.e. for the last more than 04 months. Trial may take long time to conclude.

[8] Having regard to the above facts and circumstances and the fact that trial is likely to take long time to conclude and no purpose would be served by keeping the petitioner detained, but without commenting anything further on the merits of the case, this petition is allowed and petitioner is admitted to bail on her furnishing bail bonds/surety bonds to the satisfaction of the learned trial Court/Duty Magistrate concerned, on usual terms and conditions.

(DEEPAK GUPTA)
JUDGE

05.02.2024
'Rajneesh'

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