



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

CRM-M-825-2025

Date of Decision: 16.01.2025

Ravinder Kaur

...Petitioner

vs.

State of Punjab

...Respondent

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

Present : Mr. Vipin Mahajan, Advocate
 for the petitioner.

Mr.M.S.Bajwa, Deputy Advocate General, 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 to her in case FIR No.44 dated 09.06.2023 registered under Sections 406, 420, 201 of IPC and Section 24 of Immigration Act, (offence under Section 201 of IPC added later on), at Police Station Hathur, District Ludhiana (Rural).

2. Learned counsel for the petitioner contends that as per the case of the prosecution, the petitioner and her husband had allegedly duped the complainant and his two friends for a sum of Rs.3,00,000/- on the pretext of sending them abroad. He further contends that the allegations levelled by the complainant on the face of it are unbelievable. In fact, the petitioner is a household lady and was never involved in any other criminal activity. Even the complainant is son of Massi (Aunt), husband of the petitioner and the petitioner is having a matrimonial dispute with her husband. Due to this reason, the petitioner has been falsely involved in the present case. Learned counsel has

further referred to the status of the case (Annexure P-2), to contend that the petitioner has also filed a petition claiming maintenance from her husband. Further, husband of the petitioner has filed a divorce case on 14.04.2022, which was dismissed on 22.04.2024. Now, the complainant, who is cousin of her husband, has got the FIR registered by coining a false version. The petitioner was arrested in the present case on 24.11.2024 and is in custody for the last about 01 month and 20 days.

3. On the other hand, learned State counsel has vehemently opposed the submissions made by learned counsel for the petitioner on the ground that serious allegations have been levelled against the present petitioner and she does not deserve the concession of bail by this Court.

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

5. In the present case, parties are closely related to each other and the prosecution is yet to prove before the trial Court that the money was taken by the petitioner for sending three persons abroad. Still further, the petitioner is a lady and deserves sympathetic consideration by this Court.

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.

16.01.2025

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

(N.S.SHEKHAWAT)
JUDGE