



213

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-1859-2025
Decided on : 17.02.2025

Renu Kadian

... Petitioner(s)

Versus

State of Haryana

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: Ms. Simran, Advocate for
Mr. Sandeep Saini, Advocate
for the petitioner(s).

Mr. Kanwar Sanjiv Kumar, AAG, Haryana.

SANJAY VASHISTH, J. (Oral)

1. The instant petition has been filed under Section 483 of BNSS, 2023 (earlier Section 439 Cr.P.C.), for grant of regular bail to the petitioner, during the pendency of trial, who has been booked in a criminal case arising out of First Information Report, as detailed hereunder:-

Name of Petitioner(s)	FIR No.	Date	Section(s)	Police Station	District
Renu Kadian	213	10.06.2022	406, 420, 467, 468 and 471 of IPC	Bilaspur	Yamuna Nagar

2. It is argued that petitioner is a woman and she is inside the jail since 09.08.2023 (i.e. for a period about 01 year and 06 months). All the offences are triable by the Court of Magistrate.

The dispute is monetary in nature, wherein, complainant had paid an amount of Rs.4,25,000/- to the accused persons, and out of which, an amount of Rs.1,05,000/- was allegedly received by the present petitioner.



Said amount was paid by the complainant 'Pinki' for getting job in the Bank. Undoubtedly, the purpose for which, amount was paid by the complainant, is also an illegal act.

Thus, prayer has been made for granting concession of regular bail to the petitioner.

3. On advance notice and in response to the arguments addressed here-above, learned State counsel, produces the custody certificate dated 14.02.2025, in Court today, which is taken on record. Office to tag the same at appropriate place. A copy thereof has been handed over to the counsel for the petitioner.

As per the custody certificate, in the present case, petitioner has already undergone 01 year, 06 months and 06 days period inside jail.

4. Learned State counsel while opposing the prayer and submissions made by learned counsel for the petitioner, submits petitioner is an habitual offender, as there are 06 other under trial against her, and out of which, in 02 cases she has already been convicted.

5. I have heard learned counsel for the parties and perused the relevant material available on record with their able assistance.

6. Be that as it may, in such offences, which are triable by the Court of Magistrate, and where out of a total of 10 prosecution witnesses, only 2 witnesses have been examined so far, the petitioner cannot be kept in jail for an indefinite period.

Moreover, the allegations are to be proved by the complainant, who herself *prima facie* appears to be involved in committing an illegal act, i.e., paying an amount in the form of illegal gratification.



7. In view of totality of circumstances, and the facts/allegations levelled against the petitioner, and the factors noticed here-above, I deem it appropriate to grant the concession of bail to the petitioner.

Consequently, prayer made in the present petition is **allowed**. Petitioner is ordered to be released on bail, subject to her furnishing bail/surety bonds to the satisfaction of the learned trial Court/ Chief Judicial Magistrate/ Illaqa Magistrate/ Duty Magistrate concerned, if not required in any other case.

8. Needless to observe that the petitioner shall not extend any threat and shall not influence any prosecution witness in any manner directly or indirectly.

9. The observation made here-above shall not be construed as an expression of opinion on the facts of the case and the Trial Court is expected to decide the case on the basis of complete evidence available on record.

10. Petition stands disposed of.

(SANJAY VASHISTH)
JUDGE

February 17, 2025

J.Ram

Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No