



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

222

CRM-M-889-2025

Decided on : 16.01.2025

Monika Tuli @ Menka

... Petitioner(s)

Versus

State of Punjab

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: Mr. Hitender Kansal, Advocate
for the petitioner(s).

Mr. Amandeep Singh, DAG, Punjab.

SANJAY VASHISTH, J. (Oral)

1. Instant petition has been filed under Section 483 of BNSS, 2023, by the petitioner – Monika Tuli @ Menka, for seeking regular bail, who has been booked for having committed the offences punishable under Section 406, 420, 465, 467, 120-B of IPC, in case FIR No. 0069, dated 19.04.2017, registered at Police Station Division No.7, Jalandhar, District Jalandhar, during the pendency of trial.

2. Learned counsel for the petitioner submits that the disputed amount in the case in hand is Rs.3,81,724/-. Further submits that with the similar allegations there are eight other criminal cases registered against the petitioner and out of which, in five cases, she has already been granted bail. In support of his contention, counsel produces a detailed self signed chart in Court, giving details of all the cases and also reflecting therein the cases, where the petitioner has been granted bail.

3. Learned counsel further submits that petitioner is neither



Director in the Company nor in a position to manage its day-to-day affairs. Even she is not the signatory on record. Such an observation has already been recorded by the Court in more than one order, where the bail has been granted to the petitioner.

4. He also submits that without following the procedure of law, petitioner was declared proclaimed offender, as the notices were issued on wrong address at Jalandhar, whereas, the petitioner was either in abroad or in Abohar (Punjab) during that period.

5. *Per contra*, learned State counsel while vehemently opposing the prayer of the petitioner, submits that looking at the conduct of the petitioner and the fraudulent act, as alleged in the FIR, she does not deserve concession of regular bail. However, he does not dispute the fact that out of total eight cases, she is on bail in five cases.

6. Learned State counsel also informs the Court that petitioner is inside jail since 09.07.2024, and after completion of investigation, final report has been submitted to the Court, however, charges are yet to be framed.

7. I have heard learned counsel for the parties and perused the material available on record.

8. Undoubtedly, initiation of trial and its conclusion would take considerable time. The amount involved in the present case is about Rs.3,81,724/-. Petitioner has already suffered incarceration for more than six months, and further custody of the petitioner would not serve any fruitful purpose for the prosecution. Moreover, petitioner is a woman, thus, by virtue of section 480 of BNSS, 2023, a lenient view is required be taken while considering the plea of the petitioner.



9. 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.

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

11. The observation made here-in-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.

12. Petition stands disposed of.

(SANJAY VASHISTH)
JUDGE

January 16, 2025

J.Ram

Whether speaking/reasoned: Yes/~~No~~

Whether Reportable: Yes/~~No~~