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

CRM-M-17989-2025 (O&M)

Date of decision : 11.07.2025

Rajinder Kaur and another

...Petitioners

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Rajeev Kumar Gupta, Advocate
for the petitioners.

Mr. Sukhwinder Singh Rai, DAG, Punjab.

None for the complainant.

MAHABIR SINGH SINDHU, J.

Present second petition under Section 483 of the Bharatiya
Nagarik Suraksha Sanhita, 2023 (for short, 'the BNSS'), for grant of
bail pending trial to the petitioners in FIR No.382 dated 30.09.2023,
under Sections 120-B, 406, 420 of the Indian Penal Code, 1860 (for
short 'IPC') and 24 of the Emigration Act, 1983, registered at Police
Station Sohana, District SAS Nagar.

2. Learned State counsel has produced custody certificate of
petitioner dated 10.07.2025, which is taken on record. Registry to tag
the same at appropriate place.

3. Allegations are that petitioners cheated *de facto*-
complainant-Manjeet Singh to the tune of Rs.45,63,000/- on the pretext
of sending him abroad.



4. This Court on 01.07.2025 passed the following order:-

“Learned State counsel has produced custody certificates dated 30.06.2025 of petitioners, which are taken on record. Registry to tag the same at appropriate place.

Let this matter be placed before Hon’ble the Chief Justice, who had earlier decided CRM-M-40126-2024 on 16.12.2024 (P-2) filed by petitioner No.1-Rajinder Kaur.”

5. Now, again the case has been listed before this Bench after obtaining orders from Hon’ble the Chief Justice by the Registry.

6. Contends that petitioners are in custody since 13.10.2023 & 16.10.2023 respectively; charges were framed on 16.09.2024; but out of total 23 PWs, none has been examined till date. Thus, trial is likely to take sufficient long time. Also contends that no other criminal case is pending against the petitioners.

7. Learned State counsel after obtaining instructions from the quarter concerned is not able to dispute the above factual position.

8. Heard both sides and perused the paper-book.

9. Concededly, petitioners are in custody since 13.10.2023 & 16.10.2023 respectively; charges were framed on 16.09.2024; but out of total 23 PWs, none has been examined till date. Thus, trial is likely to take sufficient time; hence further incarceration of the petitioners would not serve any purpose.

10. Consequently, present petition is allowed; petitioners shall be admitted to bail on furnishing bail/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.



11. Petitioners shall appear on each & every date of hearing and to fully co-operate with learned trial Court without seeking any unnecessary adjournment(s).
12. The above observations be not construed as an expression of opinion on the merits of the case.
13. It is clarified that in case there is recurrence or any misuse of concession of bail on the part of the petitioners, State would be at liberty to move an appropriate application for recalling of this order.

Pending application(s), if any, shall also stand disposed off.

11.07.2025
Harish Kumar

(MAHABIR SINGH SINDHU)
JUDGE

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