



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

CRM-M-57978-2024
Date of decision: 15.01.2025

Sania Mirza

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

Present: Mr. Jasinder S. Sekhon, Advocate for the petitioner.

Mr. Inderjeet Singh Ladher, DAG, Punjab.

Mr. S.S. Thakur, Advocate for the complainant.

KARAMJIT SINGH, J. (ORAL)

1. The present petition has been filed by the petitioner seeking grant of regular bail under Section 483 of BNSS 2023 in a criminal case having FIR No.66 dated 29.08.2024, under Sections 420 and 120-B IPC, Police Station Talwara, District Hoshiarpur.

2. The allegations in nutshell are that the complainant came into contact of husband of the petitioner who offered to provide job to the son of complainant in Excise and Taxation Department against amount of Rs.15 lacs. There are also allegations that thereafter, in September 2021, complainant handed over the said amount to the petitioner and her husband. That thereafter, the accused persons failed to provide any such job and also refused to return the amount in question. During investigation, the petitioner was arrested.

3. The counsel for the petitioner inter alia submits that the



petitioner is falsely implicated in the present case, as she did not offer any such job to son of the complainant. That in the FIR, there are general allegations, that she along her husband received the amount in question from the complainant side. It is further submitted that husband of the petitioner namely Nazeen Deen Jarial is granted interim bail by this Court vide order Annexure P-2 on the ground that there is no document showing the payment of Rs.15 lacs by the complainant to the husband of the petitioner. It is further submitted that the petitioner is in custody for the last more than 3 months and is having no criminal history and on completion of investigation, police has presented the challan against the petitioner. However, it will take time for the trial to conclude. Further, detention of the petitioner in judicial custody is not going to serve any purpose.

4. The present petition is resisted by the State counsel as well as counsel for the complainant who submit that the petitioner is named in the FIR as an accused along with her husband and both of them took Rs.15 lacs on the pretext of providing job to son of the petitioner in Excise and Taxation Department. However, the State counsel has not disputed the fact that the petitioner is behind bars for last more than 3 months and police has presented challan against the petitioner but the trial is at its initial stage and that the petitioner is having no criminal history.

5. No receipt or any other document relating to payment of Rs.15 lacs stated to be made by the complainant to the accused persons, is available on the police record. The petitioner who was arrested during investigation of the case is presently lodged in judicial custody. On conclusion of investigation, challan has been presented by the police against



the present petitioner who is not involved in any other criminal case. It will take time for the trial to terminate and all the offences are triable by the Court of Judicial Magistrate Ist Class. In the given circumstances, no purpose is going to be served by keeping the petitioner in custody for any longer period.

6. In view of the above, without commenting on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on regular bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

15.01.2025

Yogesh

**(KARAMJIT SINGH)
JUDGE**

**Whether speaking/reasoned:-
Whether reportable:-**

**Yes/No
Yes/No**