

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

2025:PHHC:109227



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CRM-M-27919-2025 (O&M)

Date of Decision: 20.08.2025.

Gurcharan Kaur

...Petitioner.

Versus

State of Punjab

...Respondent.

CORAM: HON'BLE MRS. JUSTICE SUKHVINDER KAUR

.....

Present: Mr. Kulwinder Singh, Advocate for the petitioner.

Mr. P.S. Pandher, AAG, Punjab.

SUKHVINDER KAUR, J. (Oral)

Present petition has been filed under Section 483 of BNSS, 2023 for grant of regular bail to the petitioner in FIR No.13 dated 11.01.2020, under Sections 420 of IPC, registered at Police Station Sadar Mansa, District Mansa.

As per prosecution case, there was matrimonial dispute between daughter-in-law of complainant and his son and the matter was pending at Women Cell Mansa. The petitioner, while posing as Inspector in Police fraudulently took Rs.2,50,000/- from the complainant on pretext of resolving said matrimonial dispute and helping in getting divorce.

Learned counsel for the petitioner contended that the petitioner has been falsely implicated in the present case and she had not received the alleged amount from the complainant. There is delay in lodging the present FIR as complainant filed application on 27.05.2019 and the present FIR was

registered on 11.01.2020. The petitioner is in custody since 14.03.2025. Challan has already been presented and charge has also been framed and as such no useful purpose would be served by keeping the petitioner behind the bars any longer. He urged that as trial of the case is likely to take time, therefore, the petitioner be granted concession of regular bail.

Notice was issued in this case on 26.05.2025 and status report was called from the State, which was filed on 22.07.2025 and the same is taken on record.

Learned State counsel has opposed the petition and submitted that there are serious allegations against the petitioner regarding duping the complainant for a sum of Rs.2,50,000/- on the pretext of helping to resolve the matrimonial dispute of his son and then getting the divorce, by misrepresenting herself as Inspector and Incharge of Women Cell Mansa and as such she is not entitled to the concession of regular bail.

Heard.

The petitioner in the present case is an old woman of 73 years. Challan in this case has already been presented and the trial is going on. As per the custody certificate, the petitioner is in custody since 05 months and 05 days and as per status report brought on record, no other criminal case was found to be registered against her. Conclusion of trial is likely to take considerable time and no useful purpose would be served by further detaining the petitioner behind the bars any longer.

Accordingly, the present petition is allowed.

As per the status report, earlier the petitioner had been declared proclaimed offender by the trial Court due to her non appearance. The petitioner is ordered to be admitted to regular bail, on furnishing adequate

bail bonds and two adequate sureties, to the satisfaction of concerned learned trial Judge/Chief Judicial Magistrate/Duty Magistrate, while releasing her on bail and other such conditions may also be imposed so as to ensure her presence.

However, nothing observed herein above shall be construed to be an expression of opinion on the merits of the case. The observations recorded above are only for the purpose of deciding the present bail petition.

(SUKHVINDER KAUR)
JUDGE

20.08.2025.

Komal

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