

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

**Criminal Misc. No. M-14346 of 2015
Date of Decision:-11.5.2015**

Munni Devi and another

...Petitioners

Versus

State of Haryana

...Respondent

CORAM:- HON'BLE MR. JUSTICE HARI PAL VERMA

1. *Whether reporters of local newspapers may be allowed to see judgment?*
2. *To be referred to reporters or not?*
3. *Whether the judgment should be reported in the Digest?*

Present:- Mr. Krishan Singh, Advocate
for the petitioners.

Mr. Manish Bansal, Deputy A.G., Haryana.

Mr. Vinod Arya, Advocate
for the complainant.

HARI PAL VERMA J.(Oral)

Prayer in this petition is for grant of regular bail to the petitioners namely, Munni Devi wife of Gharsi Ram and Kiran Devi wife of Jai Parkash in case FIR No. 1127 dated 13.9.2013, under Sections 420 and 406 read with Section 34 IPC, registered at Police Station City, Hisar, District Hisar.

Learned counsel for the petitioners submits that the petitioners are in custody since 23.12.2014 and final report as provided

under Section 173 Cr.P.C. has already been submitted. Even the charges have been framed on 3.4.2015 and now the case is fixed before the trial Court for recording of prosecution evidence. He further submits that the other co-accused, named in the FIR, has already been admitted to regular bail by this Court in Criminal Misc. No. M-43292 of 2014 vide order dated 6.5.2015.

Learned counsel for the petitioner on the strength of 2013(1) RCR (Criminal) 346 titled as “Desh raj Vs. Central Bureau of Investigation” and on the basis of judgment 2011(4) RCR (Criminal) 898 titled as “Sanjay Chandra Vs. CBI” submits that the object of grant of bail to the accused is to secure the appearance of the accused person at trial. In fact, the object of the bail is neither punitive nor preventative. The principal rule to guide release on bail should be to secure the presence of the applicant who seeks bail.

Mr. Vinod Arya, Advocate appearing on behalf of the complainant states that petitioner has succeeded in pushing duplicate gold in the garb of original gold and therefore, have rightly been booked under various offences as mentioned in the FIR. He further states that it is on the basis of report under Section 173 Cr.P.C., the charges have been framed, it prima facie shows involvement of the petitioner.

Learned State counsel has also argued on similar lines as has been argued by the learned counsel for the complainant.

Considering the fact that the investigation is complete and the petitioners are in custody since 23.12.2014, the present petition is allowed; and the petitioners are admitted to regular bail subject to their

furnishing personal bonds in a sum of Rs.10 lac each with one surety of the like amount each to the satisfaction of the trial Court.

May 11, 2015
Vijay Asija

(*HARI PAL VERMA*)
JUDGE