

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

CRM-M-30023-2017(O&M)

Date of decision: 27.9.2017

Maya

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR.JUSTICE H.S. MADAAN

Present: Ms.Vijay Lakshmi, Advocate for
Mr.L.S. Sekhon, Advocate
for the petitioner.

Mr.K.S. Aulakh, DAG, Punjab.

H.S. MADAAN, J. (Oral)

This petition has been filed for the grant of regular bail to the petitioner – Maya, an accused in FIR No.49 dated 15.3.2017, under Sections 454/380 IPC registered at Police Station Moga City, District Moga.

Briefly stated, the facts of the case as per prosecution version are that the criminal machinery in this case was set into motion by complainant – Sukhwinder Singh son of Hari Singh, resident of House No.49, Gali No.4, Baldev Nagar, Moga City, Moga, who stated that on 8.3.2017, when he had gone out of the house in connection with his duty, whereas his wife Sukhjot Kaur along with his children had gone to attend some marriage function and at about 4:00 p.m. when his wife returned home, she found that articles were lying here and there in the house; that

she informed him and he came home and found that a theft had taken place in which 2-3 gold finger rings, some important documents, Rs.50,000/- to Rs.60,000/- in cash etc. had been taken away. According to the complainant, he tried to find out the identity of the culprits at his own level but was unsuccessful, as such he informed the police and formal FIR was registered on the basis of statement. During the course of investigation, Vikram Singh along with Maya (present petitioner) were arrested in this case, former on 1.4.2017 and latter on 5.4.2017. Both of them had made disclosure statements and got recovered some gold jewellery items. Presently they are in judicial custody. The petitioner had moved an application for regular bail but was unsuccessful in the Court below. Hence the present petition.

Notice of the petition was given to the State and State counsel has put in appearance.

I have heard learned counsel for the petitioner and learned State counsel besides going through the record.

Keeping in view the fact that petitioner is not named in the FIR and further that recovery has already been effected partially and further that offences are triable by the Court of Judicial Magistrate and so also that trial is at the preliminary stage inasmuch as no prosecution witness has been examined so far, I find it proper and appropriate if concession of regular bail is granted to the petitioner.

Accordingly, the petition is allowed. The petitioner be admitted to bail during the pendency of the trial, subject to her furnishing bail bonds and surety bonds to the satisfaction of the trial Court/Chief

Judicial Magistrate, Moga. The trial Court may impose any term and condition found suitable to ensure that the petitioner does not abscond and give any threat or intimidation to the prosecution witnesses.

This petition stands allowed accordingly.

27.9.2017

Brij

(H.S. MADAAN)

JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No