

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

**Crl. Misc. No.M-37451 of 2017 (O&M)
Date of Decision: November 03, 2017.**

Nathi

.....PETITIONER(s).

VERSUS

State of Punjab

.....RESPONDENT(s).

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Inderjit Sharma, Advocate
for the petitioner (s).

SURINDER GUPTA, J.(Oral)

The present petition has been filed under Section 439 Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No.0132 dated 07.07.2017 registered for the offences punishable under Sections 379 and 379-A of Indian Penal Code, at Police Station City-1, Abohar, District Fazilka.

Heard.

Notice of motion.

On asking of the court, Mr. C.L. Pawar, Sr. D.A.G., Punjab. who is present in the Court accepts notice and submits that intimation by Registry informing of fixation of the petition has already been received and record of the case is available with him.

Learned counsel for the petitioner submits that petitioner along with Surjit Kaur, Jailo and Rano were arrested by the police on the basis of secret information. Surjit Kaur, Jailo and Rano have already been allowed

bail vide orders dated 27.09.2017 passed in CRM-M-32141 of 2017 and order dated 23.08.2017 passed in CRM-M-30000 of 2017.

Learned State counsel on instructions from ASI Sukhpal Singh submits that from the petitioner ₹3000/- and one blank unsigned cheque of Ajay Kumar was recovered. Police has also recorded statement of Ajay Kumar, wherein he has stated that petitioner along with three other ladies, has taken out his purse at the bus stand, which was containing ₹1500/- and one blank unsigned cheque.

Petitioner was arrested in this case on 07.07.2017. After completion of investigation challan has been filed and co-accused have already been allowed bail.

Keeping in view the above facts but without expressing any opinion on merits of the case, the present petition is allowed. Petitioner Nathi is ordered to be released on regular bail on furnishing bail bond and surety bond to the satisfaction of concerned Chief Judicial Magistrate/Duty Magistrate, subject to following terms:-

- a. The petitioner shall comply with the conditions mentioned in Section 437(3) Cr.P.C.
- b. In the event of her absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn. The trial Court shall be competent to cancel her bail bond and surety bond and proceed to procure her presence in accordance with law. In that eventuality the petitioner shall have to apply for bail afresh.
- c. She shall not leave the country without the prior permission of the Court.

(SURINDER GUPTA)
JUDGE

November 03, 2017
Sachin M.

Whether speaking/reasoned:
Whether Reportable:

Yes/No
Yes/No