

213.

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

CRM-M-38694-2017

Date of decision:12.12.2017.

RAJJO KAUR @ SOMA

... Petitioner

versus

STATE OF HARYANA

.... Respondent

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

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

Mr. Manish Bansal, DAG, Haryana.

HARI PAL VERMA, J.*(Oral*

Prayer in this petition filed under Section 439 Cr.P.C. is for grant of regular bail to the petitioner, namely, Rajjo Kaur @ Soma in case FIR No.35 dated 10.02.2016 under Section 379-A IPC, registered at Police Station City Dadri, District Bhiwani.

Learned counsel for the petitioner has argued that in the aforesaid FIR though the petitioner was admitted on bail, but because of her absence before the trial Court on 29.09.2016, the bail bonds were cancelled. It is thereafter on 02.08.2017, the petitioner has surrendered before the trial Court and since then she is in custody. There is no other case against her except FIR No.111/2014 under Section 22 of NDPS Act, Police Station Lahori Gate, District Patiala and in that case, she is on bail. He has further argued that though earlier there were nine cases registered against the petitioner at different point of time between the period 1997 till 08.05.2005, however, there is no case against her after 08.05.2005.

On the other hand, learned State counsel, on instructions from

record of the petitioner, she does not deserve the concession of regular bail. Registration of as many as nine cases against her is sufficient to establish that she is repeatedly indulged in such like offences. He has further argued that if the court is inclined to admit her on bail, some heavy condition may be imposed.

I have heard learned counsel for the parties.

The argument raised by learned State counsel so as to imposition of heavy condition, carries weight. The petitioner was otherwise on bail but because of her absence on 29.09.2016, her bail bonds were cancelled. However, thereafter she has surrendered on 02.08.2017 and since then, she is in custody. The trial in the case may take long time and there is no other case against her except the FIR No.111 (supra) and in that case, she is already on bail. Accordingly, the petitioner is admitted on bail subject to her furnishing adequate bail/surety bonds to the satisfaction of the trial Court.

Taking into consideration the fact that the other co-accused, who have been admitted on bail, are absconding and are not appearing before the trial Court, the trial Court shall release the petitioner on heavy surety. The petitioner is required to report to the concerned police station after every three months regularly. In case of any violation, the prosecution shall be at liberty to seek cancellation of her bail.

Present petition stands allowed in the above terms.

(HARI PAL VERMA)
JUDGE

12.12.2017
sanjeev

Whether speaking/reasoned
Whether Reportable:

Yes/No.
Yes/No.