

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-8022 of 2017 (O&M)

Date of Decision: 23.05.2017

Manjit Kaur

....Petitioner

VERSUS

State of Punjab

....Respondent

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Rajiv Sharma, Advocate
for the petitioner.

Ms. Bhavna Gupta, DAG, Punjab.

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.16 dated 26.01.2017 registered for offences punishable under Sections 379-B, 420, 473 read with Section 34 of Indian Penal Code (for short, "IPC") at Police Station Sarabha Nagar, District Ludhiana.

Heard.

Learned counsel for the petitioner submits that the matter has since been compromised with complainant. He further submits that co-accused-Gurmukh Singh has also been allowed benefit of regular bail vide order dated 22.05.2017 passed in CRM-M-15174 of 2017 and seeks parity with co-accused-Gurmukh Singh.

Learned State counsel submits that prosecution has examined complainant, her husband and son and all have turned hostile.

Applying the principle of parity but without expressing any opinion on merits of the case and keeping in view the fact that conclusion of

trial will take considerably long time, the present petition is allowed. Petitioner-Manjit Kaur is ordered to be released on regular bail on furnishing bail bond and surety bond to the satisfaction of concerned trial Court/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- (b) In the event of her absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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 previous permission of the Court.

May 23, 2017
jk

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No