

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

**CRM-M- No.36791 of 2018
Date of Decision:26.11.2018**

Simmi

....Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MRS. JUSTICE DAYA CHAUDHARY

Present: Mr. Surender Saini, Advocate for the petitioner.
Mr.Chetan Sharma, AAG, Haryana.

DAYA CHAUDHARY, J.

The present petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No.475 dated 03.08.2015 under Section 406, 420, 506 IPC registered at Police Station City Sonipat, during pendency of the trial.

Learned counsel for the petitioner submits that the FIR in the present case was registered against 38 persons. The petitioner has been implicated in the present case on the basis of disclosure statement made by co-accused Sulochana and Nishi @ Nisha who were arrested on 4.1.2016 and 2.2.2016 respectively whereas petitioner was arrested on 4.12.2017. Co-accused Reena filed CRM-M-No.1470 of 2016 and was released on regular bail by this Court vide order dated 16.03.2016. Learned counsel also submits that no offence is made out under Section 420, 406 IPC. The bail has been declined to the petitioner only on the ground that the petitioner is

involved in a number of cases. Co-accused namely Nishi and Sulochana were granted concession of regular bail by the trial Court vide order dated 19.03.2017.

Learned State counsel has not disputed the custody period as well as grant of regular bail to the co-accused but opposes on the ground that a number of cases are pending against the petitioner and that she is a habitual offender and huge amount is involved in the case.

Heard arguments of learned counsel for the petitioner as well as learned State counsel and have also perused the contents of the FIR and other documents available on the file.

Admittedly, two co-accused of the petitioner namely Salochana and Nishi have been released on regular bail by the trial Court against whom similar allegations are there. The trial may take long time to conclude as even the charges have not been framed so far. By considering the custody period of the petitioner and also that co-accused of the petitioner have been released on regular bail; out of pending cases against her 3 cases are under Section 174-A IPC which are magisterial trial and no purpose would be served by keeping her in custody. The allegations of huge amount is matter of evidence and shall be tested by the trial Court. Accordingly, the present petition is allowed and petitioner namely Simmi is released on regular bail on her furnishing bail/ surety bonds to the satisfaction of trial Court.

However, it is made clear in case the petitioner is found to be involved in any other case of similar nature, the State is at liberty to move an application for cancellation of regular bail.

(DAYA CHAUDHARY)
JUDGE

26.11.2018

raman

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No

