

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

CRM-M-44696 of 2017 (O&M)

Date of Decision: 29.11.2018

Rajwant Kaur @ Rajwant Virk

.....Petitioner

versus

Naranjan Singh, Assistant Director

.....Respondent

**CORAM: HON'BLE MR.JUSTICE KRISHNA MURARI, CHIEF JUSTICE
 HON'BLE MR. JUSTICE A.B.CHAUDHARI, JUDGE**

Present : Mr. M.S.Sachdeva, Advocate, for the petitioner.
 Ms. Ranjana Shahi, Senior Panel Counsel, for the respondents.

KRISHNA MURARI, CHIEF JUSTICE (oral)

Heard learned counsel for the rival parties on the application for grant of regular bail to the petitioner. Petitioner Rajwant Kaur alias Rajwant Virk was arrested on 03.05.2016 and she is in jail since then. It is submitted that trial has now started. The petitioner being a woman would be entitled to the benefit of Section 437 of the Code of Criminal Procedure or the akin principle.

Learned counsel for the Department has opposed the prayer for grant of regular bail to the petitioner. However, we find that the petitioner has already undergone more than 2½ years of imprisonment and the trial has now started. It is not shown to us that there is any apprehension that she would tamper with the prosecution evidence and in our opinion there is no reason to keep the petitioner in jail till the trial is completed. In the absence of any apprehension of tampering with the prosecution evidence, at any rate, the evidence being in the form of documentary evidence, we do not think that such evidence can be tampered with.

In that view of the matter, we grant regular bail to the petitioner subject to furnishing requisite bail bonds to the satisfaction of Chief Judicial Magistrate/Duty Magistrate concerned. The petitioner shall surrender her passport with the learned Chief Judicial Magistrate/Duty Magistrate concerned, if she possesses the same.

With these observations, the petition stands disposed of.

(KRISHNA MURARI)
CHIEF JUSTICE

(A.B.CHAUDHARI)
JUDGE

29.11.2018
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Whether speaking/reasoned	√Yes/No
Whether reportable	Yes/No√