

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

CRM-M No. 791 of 2018

DATE OF DECISION :- February 27, 2018

Manjinder Kaur

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE H.S. MADAN

Present:- Mr. Ashish Aggarwal, Advocate for the petitioner.

Mr. Saurav Khurana, DAG, Punjab.

This petition for regular bail has been filed by petitioner Manjinder Kaur, an accused in F.I.R. No. 136 dated 18.10.2017 under Sections 392, 395, 342, 506, 411, 186 IPC and 25 of the Arms Act registered with Police Station Goindwal Sahib, District Tarn Taran.

Briefly stated that facts of the case as per prosecution story are that on 18.10.2017, a dacoity had taken place at Punjab National Bank, Branch village Jamarai in which a cash amount of Rs.6,63,945/- besides a gun were looted.

Formal F.I.R. was registered on the basis of statement of Branch Manager of the said bank. The case was investigated. One Rachhpal Singh, husband of the present petitioner was arrested in F.I.R. No. 221 of 2017 under Section 21 of the NDPS Act, 1985 registered with Police Station Sadar Tarn Taran. During interrogation in the said case, he admitted his

involvement in the dacoity and stated that he had received a sum of Rs.54,000/- as his share in the booty out of which he had already spent Rs.4,000/-, whereas he had given Rs.50,000/- to his wife Manjinder Kaur, the present petitioner. Rachhpal Singh was arrested in this case, so was the present petitioner.

The present petitioner Manjinder Kaur was arrested on 21.10.2017. She had moved an application for regular bail before the Court of Sessions which was however dismissed by Additional Sessions Judge Tarn Taran vide order dated 13.12.2017, as such she has approached this Court praying for grant of similar relief, however her request is being opposed by the State counsel.

A perusal of the custody certificate placed on file by the State counsel goes to show that petitioner has undergone 4 months and 2 days as under trial in the present case. She is not shown to be involved in any other criminal case. There are no allegations of the petitioner having participated in the dacoity/robbery. The only allegation against her as per prosecution story are that she had received a sum of Rs.50,000/- given to her by her husband.

I have heard learned counsel for the petitioner and learned State counsel besides going through the record.

The guilt of the petitioner shall be determined during the trial. Petitioner happens to be a woman aged about 55 years. As such without going further into the merits of the case, I find it proper and appropriate to grant concession of regular bail to the petitioner. Therefore the petition is accepted, the petitioner is ordered to be released on bail on her furnishing

bail bond and surety bond to the satisfaction of the learned trial Court
subject to the following conditions : -

- (i) she shall appear in the Court on each and every date of hearing.
- (ii) she shall not give any threat or intimidation to the prosecution witnesses.
- (iii) she shall not leave India without prior permission of the Court and shall surrender her Passport, if she has got one otherwise to furnish affidavit in that regard.

In addition to that the trial Court may impose any term and condition found suitable to ensure that the petitioner does not abscond and interfere in the trial.

In case the petitioner violates any term and condition on which the bail has been granted to her, the order shall be liable to be withdrawn.

(H.S. MADAAN)
JUDGE

February 27, 2018
p.singh

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No