

**In the High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-13301-2019 (O&M)
Date of Decision:- 2.7.2019

Dala Bai

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. D.K.Tuteja, Advocate, for the petitioner.

Ms. Aditi Girdhar, AAG, Haryana.

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner seeks grant of regular bail in respect of a case registered vide FIR No.430, dated 5.12.2018, Police Station Civil Line, Jind, under Section 379-A IPC (Section 120-B IPC added subsequently).
2. The FIR was lodged at the instance of Rajender Singh wherein it has been alleged that on 5.12.2018, he had withdrawn an amount of ₹ 6 lacs from his bank i.e. Punjab National Bank, Jind and while he was going along with the said amount on his motorcycle, then one young boy snatched the bag carried by the complainant which was containing the aforesaid amount and fled away from the spot on foot.

3. Learned counsel for the petitioner has submitted that the petitioner is nowhere named in the FIR and it is on the basis of a supplementary statement recorded after about one week of lodging of the FIR that she came to be nominated as an accused. Learned counsel while drawing the attention of this court to the aforesaid supplementary statement dated 11.12.2018 (Annexure P-2) has pointed out that even as per the said supplementary statement the only allegation is that the boy named in the FIR was seen standing with one woman and it has been suspected that the said woman may also have a role to play in the aforesaid offence.
4. Opposing the petition, learned State counsel has submitted that an amount of ₹ 2.90 lacs was recovered from the petitioner and that in these circumstances it is apparent that her complicity in the offence is evident.
5. I have considered rival submissions addressed before this Court. Bearing in mind the fact that the petitioner is not named in the FIR, it would certainly be debatable especially in the absence of any specific serial number of the currency notes as to whether the amount recovered from the petitioner is indeed the same amount which had been withdrawn by the complainant or not. Further while also noticing that the petitioner is a lady who has been behind bars since the last about 6 months, in my opinion, no useful purpose would be served by further detaining the petitioner behind bars. The petition, as such, is accepted and the petitioner-Dala Bai is ordered to be released on bail on her furnishing bail bonds/surety bonds to the

satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

6. The present petition stands accepted accordingly.

July 2, 2019
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(GURVINDER SINGH GILL)
JUDGE

Whether speaking /reasoned	Yes / No
Whether Reportable	Yes / No