

In virtual Court

CRM-M-19805-2021

-1-

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-19805-2021 (O&M)
Date of decision: 29.06.2021

Komal @ Rozy

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

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

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this 2nd petition is for grant of anticipatory bail in FIR No.196 dated 26.08.2017 under Section 306 IPC, registered at Police Station Sadar Jalandhar; earlier one was allowed vide order dated 12.01.2018.

Brief facts of the case are that as per allegations in the FIR, the petitioner was working as maid servant with the complainant and deceased Harjinder Kumar @ Ajay was playing with child of the petitioner, upon which the petitioner rebuked her and thereafter, he committed suicide. Noticing the aforesaid fact, the petitioner was granted concession of anticipatory bail. It is further submitted that the petitioner attended the Court for some time, however, on account of her serious medical condition, as she is a patient of nephrotic syndrome with etiology FSGS frequent relapse, could not attend the Court.

Learned counsel in this regard has relied upon the medical record of the petitioner that she remained under constant treatment with various hospitals. It is also submitted that non-appearance of the petitioner was not intentional and she is ready to surrender before the trial Court and apply for regular bail and is also ready to pay a costs of Rs.5,000/- for causing delay in disposal of the trial.

Notice of motion.

On asking of the Court, Mr. Joginder Pal Ratra, DAG, Punjab accepts notice on behalf of the respondent-State and has not disputed the factual position, however, it is submitted that the petitioner has intentionally absconded from the Court proceedings and thereafter, she has filed the application for anticipatory bail.

After hearing learned counsel for the parties and considering the aforesaid submissions made by them, I deem it appropriate to grant concession of anticipatory bail to the petitioner.

Accordingly, this petition is allowed and the petitioner is directed to surrender before the trial Court within a period of 15 days from today and the trial Court will release her on bail subject to her furnishing fresh bail/surety bonds to the satisfaction of the trial Court/Illaq Magistrate/Duty Magistrate, concerned and on deposit of Rs.5,000/- with the District Legal Services Authority, concerned.

[ARVIND SINGH SANGWAN]
JUDGE

29.06.2021

vishnu

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No