

In the High Court of Punjab and Haryana at Chandigarh

**CRM-M No. 3849 of 2022
Date of Decision: 07.2.2022**

Rano

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE SURESHWAR THAKUR

Present: Mr. Sumeet Puri, Advocate
for the petitioner.

Mr. Bhupender Beniwal, AAG, Punjab.

Mr. Gaurav Arora, Advocate
for the complainant.

SURESHWAR THAKUR, J. (ORAL)

(Through video conferencing)

1. In FIR bearing No. 0049 of 25.3.2021, registered at Police Station Bhawanigarh, District Sangrur, offences under Sections 341, 324, 458, 307/34, and, 120-B IPC, are embodied.

2. The principal offender in the afore FIR, is, one Nagender Singh alias Arbind Chaudhary. The afore Nagender Singh alias Arbind Chaudhary, had filed a petition bearing CRM-M No. 34789 of 2021, before this Court. This Court, through an order made on 15.12.2021, had proceeded to allow the above petition, as became cast under Section 439 Cr.P.C.

3. The learned State counsel, on instructions meted to him, by Inspector Pardeep Singh Bajwa, submits that the only role attributed to the petitioner-bail applicant, is of hers conspiring with principal accused-

Nagender Singh alias Arbind Chaudhary, who, as afore stated, has been granted the facility of bail, by this Court, through an order made on 15.12.2021, upon, his application cast under Section 439 Cr.P.C. Therefore, when the role of the bail applicant-petitioner, is only that of hers conspiring with above principal accused, and, when it is fairly stated by the learned State counsel, on the instructions meted to him, that all the investigations, into the offences (supra), are complete, and, that very soon a report under Section 173 Cr.P.C. would be filed, before the learned trial Magistrate concerned. Moreover, also when the bail applicant-petitioner, is, in judicial custody since 31.3.2021. Consequently, this Court does not deem it fit, and, appropriate to prolong the judicial incarceration of the petitioner-bail applicant, as, thereupons her personal liberty would become unnecessarily fettered, and, curtailed.

4. Moreover, no material has been placed on record, by the prosecution, suggestive that in case, the facility of bail is granted to the bail applicant-petitioner, there is a likelihood of hers being fleeing from justice, and, tampering with the prosecution evidence. In addition, the bail applicant-petitioner, is stated by Inspector Pardeep Singh Bajwa, to have no tainted antecedents. Therefore, this Court is constrained to admit to bail, the bail applicant-petitioner.

5. Consequently, the instant petition is allowed, and, the petitioner-bail applicant is ordered to be released from judicial custody. However, the granting of bail to the bail applicant-petitioner, is subject to hers furnishing personal and surety bonds in the sum of ₹50,000/- each, before the learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned, and, also subject to hers not tampering with prosecution

evidence, and, hers not influencing prosecution witnesses, and, besides also hers appearing before the trial Court concerned, as and when directed to make her personal appearance.

6. Copy dasti.

(SURESHWAR THAKUR)
JUDGE

February 07, 2022
Gurpreet

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