

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

**CRM-M-6250-2022
DECIDED ON:27.10.2022**

KAJAL

.....PETITIONER

VERSUS

STATE OF PUNJAB

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL.

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

Mr. Rajiv Verma, DAG, Punjab.

SANDEEP MOUDGIL, J (ORAL)

This petition has been filed by the petitioner under Section 439 Cr.P.C., for grant of regular bail in case FIR No.194, dated 10.11.2021 (wrongly mentioned as 10.10.2021 in order dated 31.01.2022), under Sections 166, 189, 190, 204, 328, 381, 506 and 509 of the IPC, registered at police station City Moga, District Moga.

Learned State counsel has produced the custody certificate of the petitioner, which is taken on record.

A perusal of same shows that the petitioner had been in custody as under trial for 11 months and 15 days and that is the period as actual undergone so far. It is evident that the petitioner is not involved in any other criminal offence as per the custody certificate produced on behalf of the State of Punjab. The trial is underway and the same is likely to take some time as there are total 19 witnesses and none of them has been examined so far. Moreover, it has been asserted by the learned counsel for the petitioner

that the trial is now within the competence of the Magistrate for which maximum punishment is 3 years.

Learned State counsel could not controvert the aforesaid factual aspect, though states that the allegations against the petitioner are serious in nature, wherein an attempt was made to commit suicide by executing a suicide note.

It is a case where judicial file was stolen by Kajal and was kept at the house of the complainant Harmanjot Singh.

Since, the case pertains to the stealing of a judicial file from the Court of Ms. Radhika Likhi, the then Civil Judge (Junior Division), Moga.

The videos and messages of Kajal using the social media via Whats-App have also been placed on record to corroborate the allegations. However, at this stage, without commenting on the merits of the case but looking at the seriousness of the allegations and gravity of offence pertaining to the judicial record, this Court is not inclined to grant the concession of regular bail to the petitioner.

Dismissed.

27.10.2022

Poonam Negi

**(SANDEEP MOUDGIL)
JUDGE**

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>