

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

Sr. No.223

CRM-M-49181-2022

Date of decision : 5.12.2022

Seema Rani

.....Petitioner(s)

VERSUS

State of Punjab

..... Respondent(s)

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present: Mr.PKS Phoolka, Advocate for the petitioner

Mr.Kamapreet Singh Bawa, AAG, Punjab

AMAN CHAUDHARY, J.

The present petition has been filed under Section 439 Cr.P.C. for the grant of regular bail to the petitioner in respect of FIR No.0154 dated 28.6.2022 under Sections 420, 465, 467, 468, 471, 34 IPC at Police Station Civil Lines Bathinda, District Bathinda.

Learned counsel submits that the petitioner, who is 54 years old lady, is in custody since 28.6.2022. He submits that the husband of the petitioner has met with a road side accident on 12.11.2022 and in critical condition is admitted in DMC, Ludhiana. He further submits that the allegation against her is that she assisted the other co-accused in preparing the forged aadhar card of the complainant for the purpose of furnishing surety in a bail granted to an accused Shera @ Ganda, which was actually not furnished. He submits that the investigation has been completed in the matter and challan stands presented. He further submits that the charges have not been framed and there are a total of 13 Pws. The offences are triable by Magistrate, therefore, further detention of the petitioner would not serve any purpose.

Learned State counsel opposes the bail petition on the ground that there are direct allegations against the petitioner. However, he is unable

to controvert the fact that the petitioner is in custody since 28.6.2022, challan has been presented, charges have not been framed. He further submits that the petitioner is involved in two more cases.

In rebuttal, learned counsel for the petitioner submits that the petitioner is on bail in both the cases.

Heard.

Keeping in view the facts and circumstances of the case particularly that the petitioner, who is 54 years old, is in custody since 28.6.2022; her husband is hospitalized in critical condition; though challan has been presented but charges have not been framed as yet; there are a total of 13 PWs; conclusion of the trial will take a considerable time, her further detention behind the bars would not serve any useful purpose, thus, the present petition for grant of regular bail deserves to be allowed.

As a result, the present petition is allowed. The petitioner is ordered to be released on regular bail, subject to her furnishing bail/surety bonds to the satisfaction of trial Court/Duty Magistrate concerned and subject to her not being required in any other case. The petitioner shall abide by the following conditions:-

1. The petitioner will not tamper with the evidence during the trial.
2. The petitioner will not pressurise/ intimidate the prosecution witnesses.
3. The petitioner will appear before the trial Court on each and every date fixed, unless is exempted by a specific order of Court.
4. The petitioner shall surrender her passport, if any, and will not leave the country without the permission of the Trial Court.
5. The petitioner shall not commit an offence similar to the offence of which, she is an accused, or for commission of which she is suspected of.
6. The petitioner shall not directly or indirectly coerce, inducement, threaten or promise to any person acquainted with the facts of the case so as to dissuade him/ her from disclosing such facts to the Court or to any police officer or tamper with the evidence in any manner.
7. The petitioner shall not in any manner misuse her liberty.
8. Any infraction shall entail in withdrawal of the benefit granted by this Court.

9. The petitioner will furnish correct mobile number and residential address and shall not change the same without prior intimation to the trial Court.

It is further clarified that if the petitioner does not abide by the aforesaid conditions, the State would be at liberty to seek cancellation of her bail.

Nothing stated hereinabove be construed as a final expression of opinion on the merits of the case and the trial would proceed independently of the observations made above, which have only been made for the purpose of adjudicating the present petition for grant of regular bail.

5.12.2022
gsv

(AMAN CHAUDHARY)
JUDGE

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