

2024:PHHC:161353



(1st case)

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

CRM-M No.582 of 2024 (O&M)

Date of decision: 04.12.2024

Meenu Sharma

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Dr. Pankaj Nanhera & Mr. Rahul Gautam, Advocates
for the petitioner.

Mr. Deepak Sabharwal, Addl. AG, Haryana assisted by
Mr. Kiran Pal Singh, AAG, Haryana for the respondent.

Mr. Birender Singh Rana, Senior Advocate assisted by
Mr. Prateek Rathee, Mr. Nayandeep Rana,
Mr. G.S. Aulakh, Advocate for Mr. Hitesh Malik, Advocate
for the complainant.

MAHABIR SINGH SINDHU, J.

Present petition has been filed under Section 439 of the Code of
Criminal Procedure, 1973 for grant of bail pending trial to the petitioner in

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FIR No.1566 dated 24.06.2023 (P-1), under Sections 417, 465, 468, 471 & 120-B of the Indian Penal Code, 1860, registered at Police Station Shivaji Nagar, District Gurugram.

(2) Allegations are that petitioner being Pharmacy In-charge, Rajiv Gandhi Super Specialty Hospital, Tahirpur, Delhi, helped the main accused Ramesh Sanka in procuring fake and fabricated Medical Certificate, which was deliberately used by him before learned trial Court for seeking personal exemption.

(3) Contends that petitioner was granted interim bail by this Court vide order dated 12.01.2024 and she is regularly appearing before learned trial Court on each and every date of hearing. Further contends that there is no apprehension or allegation that in case interim bail is made absolute, she is likely to influence the witnesses or hamper the trial in any manner. Lastly contends that there is no other criminal case pending against the petitioner.

(4) The aforesaid factual position is duly acknowledged by learned State Counsel as well as learned Counsel for the complainant; but opposed the prayer of petitioner.

(5) Heard learned Counsel for the parties and perused the paper-book.

(6) This Court, on 12.01.2024, granted interim bail to the petitioner in following manner:-

“Contends, inter alia, that co-accused, namely, Ramesh Sanka has already been granted interim bail by this Court in



CRM-M-59519-2023 vide order dated 01.12.2023 (P-2) and which is pending for 12.02.2024.

Posted for 12.02.2024.

In the meanwhile, petitioner be released on interim bail in the present case till the next date of hearing on her furnishing adequate bail and surety bonds subject to the satisfaction of learned trial Court/CJM/Duty Magistrate concerned.

To be heard along with CRM-M-59519-2023.”

(7) In pursuance of the aforesaid order, petitioner is regularly appearing before learned trial Court and there is no allegation or apprehension that she has misused the concession or likely to hamper the trial in any manner.

(8) Moreover, petitioner is a woman; therefore, she is entitled for the concession of bail.

(9) In such a scenario, no purpose would be served by sending the petitioner in custody at this stage.

(10) Consequently, the present petition is allowed. Interim bail granted to the petitioner, vide order dated 12.01.2024, is made absolute. She shall be admitted to bail on her furnishing bail/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

(11) Petitioner shall fully co-operate with the learned trial Court without seeking any unnecessary adjournments.

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- (12) The above observations be not construed as an expression of opinion on the merits of the controversy in any manner.
- (13) It is clarified that in case there is any misuse of concession of bail on the part of petitioner, State would be at liberty to move an appropriate application for recalling of this order.
- (14) Disposed off accordingly.
- Pending application(s), if any, shall also stand disposed off.

4th December, 2024
Gagan

(MAHABIR SINGH SINDHU)
JUDGE

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