

IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

CRM-M-21693-2024  
Date of Decision:08.05.2024

Goma @ Gomo @ Soma Rani ...Petitioner  
Vs.  
State of Punjab ...Respondent

CORAM : HON'BLE MR. JUSTICE N.S.SHEKHAWAT

Present : Ms. Manjot Kaur, Advocate for  
Mr. Satnam Singh Gill, Advocate  
for the petitioner.

Mr. Arjun Sheoran, DAG, Punjab.

N.S.SHEKHAWAT, J. (Oral)

1. The petitioner has filed the present petition under Section 439 of the Code of Criminal Procedure with a prayer to grant him regular bail in case FIR No.74 dated 29.06.2023 under Sections 379-B, 511 and 34 IPC, 1860 registered at Police Station City Nakodar, District Jalandhar Rural.
2. The FIR in the present case was got registered by Shakti Devi, who alleged that on 29.06.2023, she and her family members had gone to Darbaar of Baba Murad Shah, Nakodar and when they were standing in queue for paying obeisance, three ladies encircled her and they were calling each other by the names of Gejo, Surjito and Gomo. By taking advantage of heavy rush, one of the above said lady tried to snatch the chain worn by the complainant in her neck and the gold chain had broken down and it was taken by the complainant. The complainant raised a noise and the petitioner and co-accused persons namely Tej Kaur @ Gejo @ Grejo and Satya Kaur @ Satya @ Surjito were apprehended by the crowd at the place of

occurrence itself. With these broad allegations, the FIR in the present case was got registered by the complainant against the petitioner.

3. Learned counsel for the petitioner contends that the petitioner was arrested in the present case on 29.06.2023 and is in custody since then. As per the allegations levelled in the present case, it has been falsely alleged that the petitioner had tried to snatch the chain of the complainant and the version of the prosecution is highly improbable. Learned counsel for the petitioner has placed reliance on the order dated 24.04.2024 (Anneuxre P-3) passed by this Court, whereby similarly placed co-accused persons namely Tej Kaur @ Gejo @ Grejo and Satya Kaur @ Satya @ Surjito have been granted the concession of bail by this Court.

4. On the other hand, learned State counsel has vehemently opposed the prayer made by the learned counsel for the petitioner on the ground that there are serious allegations against the petitioner and more than 20 cases are registered against the present petitioner and she is habitual offender and is likely to indulge in the crime again.

5. I have heard the learned counsel for the parties and perused the record with their able assistance.

6. In the present case, the petitioner is in custody since 29.06.2023 and as per the admitted case of the prosecution itself, it is a case of attempt to snatch the gold chain from the complainant. Even no recovery has been effected from the petitioner and the final report under Section 173 Cr.P.C. has already been presented against the present petitioner. Even learned State counsel has expressed the apprehension that the petitioner may again

indulge in crime and the said apprehension can be addressed by imposing stringent conditions on the petitioner.

7. Without commenting on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on bail subject to her furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate, concerned, subject to the following conditions:-

- (i) The petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case, so as to dissuade them to disclose such facts to the Court or to any other authority.
- (ii) The petitioner shall remain present before the Court on the dates fixed for hearing of the case.
- (iii) The petitioner shall not absent themselves from the Court proceedings except on the prior permission of the Court concerned.
- (iv) The petitioner shall surrender her passport, if any, (if already not surrendered), and in case she is not holder of the same, she shall swear an affidavit to that effect.
- (v) The petitioner shall also file her affidavit before the concerned Court, mentioning their ordinary place of residence and number of mobile phone, which shall be used by them during the pendency of the trial. In case of change of place of residence/mobile number, she shall share the details with the concerned Court/learned Trial Court.
- (vi) In case, the petitioner involve in any other criminal activity, during the pendency of the trial, it shall be viewed seriously.
- (vii) The concerned Court may insist on two heavy local sureties and may also impose any other condition, in

accordance with law, while accepting the bails bonds and surety bonds of the petitioner.

(viii) The petitioner shall report every 1st and 3rd Monday in English calander month to the concerned SHO till the conclusion of the trial and SHO shall mark her presence by making an entry in the rojnamcha. In case, she does not report on every 1st and 3<sup>rd</sup> Monday to the concerned SHO, it shall be viewed seriously and the concession granted to her shall be liable to be cancelled and the State of Punjab shall be at liberty to move an appropriate application in this regard.

08.05.2024

M.Sikka

(N.S.SHEKHAWAT)  
JUDGE

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