

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.30207 of 2023 (O&M)
Date of Decision: 04.01.2024

Gurmeet Kaur

..... Petitioner

Versus

State of Punjab and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present:- Mr. Akashdeep Singh, Advocate for the applicant/petitioner.

Mr. M.S.Tiwana, AAG, Punjab for respondent No.1.

Mr. Gaurav Vir Singh Behl, Advocate for
Mr. Abhaysheer Singh, Advocate for respondent No.2.

MAHABIR SINGH SINDHU, J.

CRM-41322-2023

Application for placing on record supplementary statements of
the complainant as Annexure P-7 with further prayer seeking exemption from
filing certified/typed copy thereof.

Allowed as prayed for subject to all just exceptions.

Registry will do the needful.

MAIN CASE

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 FIR No.47 dated 02.05.2023, under Sections 458, 379-B, 323 read with Section 34 of the Indian Penal Code, 1860 (Sections 397, 120-B, 324 & 411, IPC added later on) [Section 326, IPC added vide CRM-28239-2023], registered at Police Station, Phase-XI, District SAS Nagar, Mohali.

(2) Above FIR was registered on the basis of statement made by complainant-Radha Rani with the allegations that on 01.05.2023, petitioner along with other co-accused snatched gold ornaments by entering into her house and also inflicted injuries.

(3) This Court, vide order dated 06.07.2023, granted interim bail to the petitioner and the same reads as under:-

“Contends inter alia while making reference to the affidavit dated 07.06.2023, that matter has been amicably settled with the complainant at their own level.

Learned State counsel seeks time to verify the abovesaid factual position.

Posted on 13.07.2023.

In the meantime, petitioner is ordered to be released on interim bail on her furnishing bail bonds and surety bonds to the satisfaction of learned trial Court/Duty Magistrate concerned.”

(4) Learned Counsel for the petitioner contends that in compliance of aforesaid order, petitioner is regularly appearing before the Court below and the matter has been compromised between the parties at their own level.

(5) Learned Counsel for the complainant duly acknowledged the factum of compromise.

- (6) Even learned State Counsel is also not seriously averse in case the order dated 06.07.2023 is made absolute.
- (7) In view of the above, present petition is allowed. Interim bail granted to the petitioner, vide order dated 06.07.2023, 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.
- (8) Petitioner shall fully co-operate with the learned trial Court without seeking any unnecessary adjournments.
- (9) The above observations may not be construed as an expression of opinion on the merits of the case and legality/validity of the compromise arrived at between petitioner as well as complainant.
- (10) It is clarified that in case there is any misuse of concession on the part of petitioner, State would be at liberty to move an appropriate application for recalling of this order.
- (11) Disposed off accordingly.
- (12) Pending application(s), if any, shall also stand disposed off.

4th January, 2024
Gagan

(MAHABIR SINGH SINDHU)
JUDGE

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No