



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-36585-2024
DECIDED ON: 05.08.2024

NEHA KAUR ALIAS NEHA SHARMA
.....PETITIONER

VERSUS

STATE OF PUNJAB
.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. SPS Chakkal, Advocate
for the petitioner.

Mr. Rajiv Verma, DAG, Punjab.

SANDEEP MOUDGIL, J (ORAL)

The jurisdiction of this Court has been invoked under Section 439 read with Section 482 Cr.P.C. for grant of interim bail to the petitioner beyond three months from the date of delivery of the child in case FIR No.61, dated 15.03.2024, under Sections 406, 420, 467, 468, 471, 506 and 120-B IPC, registered at Police Station Sadar Kharar, SAS Nagar, Mohali.

Vide order dated 31.07.2024, this Court had sought verification of the ground taken by the petitioner that she is pregnant with seven months and carries body weight of around 100 kg and have certain medical complications.

In compliance of the above said order, affidavit of Harpreet Singh, Deputy Superintendent of Police, New District Jail Nabha has been filed on behalf of the respondent-State, which is taken on record and the same is supported by a report of the Jail Medical Officer at Annexure R-1 who has confirmed the plea raised by the petitioner while categorically

stating that the petitioner is a known case of bronchial asthma and has a previous history of three miscarriages and the same is classified as high risk pregnancy. The custody part if considered at Annexure R-2 dated Nil, she has undergone actual period of custody for 01 year, 04 months and 11 days.

Though the detail of other cases in which she is involved has also been attached with the custody certificate which shows that in all the cases, she is already on bail except FIR No.67, dated 19.03.2024, under Sections 406, 420, 467, 468, 471, 506 and 120-B IPC, registered at Police Station Sadar Kharar, District SAS Nagar, Mohali.

This Court having given a considerable thought and scrutiny of medical report attached at Annexure R-1 with the petition and the pleadings made before this Court by learned counsel for the petitioner, this petition deserves to be allowed.

Hence, the petitioner is directed to be released on interim bail on medical exigencies for a period of three months from today i.e. 05.08.2024, subject to her furnishing personal/surety bonds to the satisfaction of trial Court/Illaq Magistrate/Duty Magistrate.

It is however, made clear that the petitioner shall surrender to the Jail authorities, concerned on or before 04.11.2024, by 05:00 p.m.

The instant petition is disposed of in the aforesaid terms.

(SANDEEP MOUDGIL)
JUDGE

05.08.2024

Poonam Negi

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No