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**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH****Date of decision:24.04.2024****(i) CRM-M-40410-2023**

Tej Kaur alias Gejo alias Grejo

...Petitioner

VS.

State of Punjab

...Respondent

(ii) CRM-M-55742-2023

Satya Kaur @ Satya @ Surjito

...Petitioner

VS.

State of Punjab

...Respondent

Coram : Hon'ble Mr. Justice N.S.Shekhawat**Present :** Mr. Munish Garg, Advocate
for the petitioner in CRM-M-40410-2023.Mr. L.S.Sekhon, Advocate with
Mr. Rajdeep Singh Gill, Advocate
for the petitioner in CRM-M-55742-2023.

Mr. Deepender Singh, Additional Advocate General, Punjab.

N.S.Shekhawat J. (Oral)

1. This order shall dispose of two bail petitions i.e. CRM-M-40410-2023 titled as Tej Kaur alias Gejo alias Grejo Vs. State of Punjab and CRM-M-55742-2023 titled as Satya Kaur alias Satya alias Surjito Vs. State of Punjab, whereby, the petitioners have prayed for grant of regular bail in case FIR No.74, dated 29.06.2023 under Sections 379-B, 511 and 34 of IPC, registered at Police Station City Nakodar, District Jalandhar.

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 both the petitioners 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 both the petitioners.

3. Learned counsel for the petitioners contend that the petitioners were arrested in the present case on 29.06.2023 and are in custody since then. They further contend that in the present case, it has been falsely alleged that the petitioners had tried to snatch the chain of the complainant and the allegations levelled by the complainant are highly improbable. They also contend that after completion of the investigation, the final report under Section 173 Cr.P.C. has already been presented before the Competent Court and further custody of the petitioners will not serve any meaningful purpose.

4. On the other hand, learned State counsel has vehemently opposed the submissions made by learned counsel for the petitioners on the ground that Tej Kaur alias Gejo alias Grejo, petitioner in CRM-M-40410-2023 is facing four other similar cases, whereas Satya Kaur alias Satya @ Surjito is facing 33 other criminal cases. He further contends that in case, the concession of bail is allowed to the petitioners, the petitioners may again indulge in criminal activities and the petitions are liable to be dismissed by this Court.

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

6. In the present case, the petitioners are 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 petitioners and the final report under Section 173 Cr.P.C. has already been presented against the present petitioners. Even learned State counsel has expressed the apprehension that the petitioners may again indulge in crime and the said apprehension can be addressed by imposing stringent conditions on both the petitioners.

7. Without commenting on the merits of the case, both the petitions are allowed and the petitioners are ordered to be released on bail subject to their 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 petitioners 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 petitioners shall remain present before the Court on the dates fixed for hearing of the case.

(iii) The petitioners shall not absent themselves from the Court proceedings except on the prior permission of the Court concerned.

(iv) The petitioners shall surrender their passport, if any, (if already not surrendered), and in case they are not holder of the same, they shall swear an affidavit to that effect.

(v) The petitioners shall also file their 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, they shall share the details with the concerned Court/learned Trial Court.

(vi) In case, the petitioners 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 petitioners 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 his presence by making an entry in the rojnamcha. In case, they do not report on every 1st and 3rd Monday to the concerned SHO, it shall be viewed seriously and the concession granted to him shall be liable to be cancelled and the State of Punjab shall be at liberty to move an appropriate application in this regard.

24.04.2024.
hemlata

(N.S.SHEKHAWAT)
JUDGE

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