



CRM-M-52264-2024

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

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CRM-M-52264-2024

Date of Decision : **October 25, 2024**

POONAM RANI

.....Petitioner

VERSUS

STATE OF PUNJAB

.....Respondent

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : Ms. H.S.Jakhal, Advocate
for the petitioner (through VC).

Mr. Sahil R. Bakshi, AAG, Punjab.

KULDEEP TIWARI, J. (Oral)

1. Through the instant petition filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023, the petitioner prays for grant of regular bail in case FIR No.82 dated 3.5.2015, Under Sections 406, 120-B IPC, registered at Police Station Sarabha Nagar, District Ludhiana.

2. Learned counsel for the petitioner in the asking for the relief (supra) submits that the petitioner is facing trial for the offences, which are triable by the learned Judicial Magistrate 1st Class concerned. She further submits that the petitioner was earlier arrested in the instant matter on 18.5.2015 alongwith co-accused Rajinder Kumar and she was granted the benefit of regular by the learned Chief Judicial Magistrate, Ludhiana vide order dated 25.5.2015. She also submits that from 25.5.2015 till 30.4.2018, the petitioner was regularly



appearing before the learned trial Court concerned, however, on account of her absence on dated 30.4.2018 and subsequently on dated 4.6.2018, her bail was cancelled and she was declared as a proclaimed offender on dated 25.1.2019 and thereafter, the petitioner was re-arrested on 20.3.2024. She further submits that the petitioner has suffered sufficient incarceration for more than 7 months as on today after her re-arrest and till date, there is no progress in the trial. She also submits that the petitioner is ready and willing to submit heavy surety to the satisfaction of the learned trial Court concerned and also assures that she will continuously appear before the learned trial Court concerned till the conclusion of the trial.

3. The learned State counsel has vociferously opposed the grant of regular bail to the petitioner and has filed the custody certificate *qua* the petitioner, which is taken on record. The custody certificate reflects that the petitioner has clean antecedents and has suffered incarceration of more than 7 months till date.

4. Be that as it may, since the petitioner was earlier granted regular bail and was continuously appearing before the learned trial Court concerned and there is only one default, therefore, in view of the above facts and circumstances recorded above, this Court deems it fit and appropriate to extend the benefit of regular bail to the petitioner. Therefore, the present petition is **allowed**.

5. The petitioner is ordered to be released on bail on furnishing of bail bonds and heavy surety bonds to the satisfaction of concerned Chief Judicial Magistrate/trial Court/Duty Magistrate.

6. However, anything observed here-in-above shall have no effect on the merits of the case and is meant for deciding the present petition only.

October 25, 2024
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(KULDEEP TIWARI)
JUDGE

Whether speaking/reasoned. : Yes/No
Whether Reportable. : Yes/No