

247(2)

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

CRM M-55660-2023 (O&M)

Date of Decision: 14.02.2024

Baljit Kaur

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR.JUSTICE MAHABIR SINGH SINDHU

Present: None for the petitioner.

Ms. Avneet, AAG, Punjab.
assisted by ASI Jaideep.

MAHABIR SINGH SINDHU. J.

Present petition has been filed under Section 439 Cr.P.C seeking bail pending trial in FIR No.47 dated 02.05.2023 registered under Sections 458, 379-B & 323 read with Section 34 IPC (Sections 397, 324, 342, 326, 411 and 120-B IPC added later on) at Police Station, Phase-11, District SAS Nagar Mohali.

2. Allegations are that petitioner along with co-accused hatched a conspiracy; snatched the gold chain & earrings of the complainant; tried to take away the gold rings, but on hue and cry raised by the complainant, they decamped.

3. This Court, on 17.11.2023, granted interim bail to the petitioner in the following order:-

“Contends inter alia that petitioner has been nominated on the basis of supplementary statement dated 07.05.2023, made by the complainant-Radha Rani and there is no other criminal case pending against her.

Notice of motion.

On asking of the Court, Mr. C.L. Pawar, Addl. A.G., Punjab accepts notice on behalf of the respondent and seeks time to have instructions and/or file written response in the matter.

Posted for 16.01.2024.

In the meantime, petitioner be released on interim bail in the present case till the next date of hearing on her furnishing adequate bail and surety bonds to the satisfaction of learned trial Court/Duty Magistrate concerned.”

4. Learned State counsel has apprised the Court that petitioner was granted interim bail by this Court on 17.11.2023 and since then, she is regularly appearing before the learned trial Court.

5. Heard learned State counsel and perused the paper book.

7. Petitioner has already been granted interim bail by this Court and she is regularly appearing before the learned trial Court. There is no allegation that she is likely to misuse the concession of bail or hamper the proceedings in any manner, in case her interim bail is made absolute. Thus sending the petitioner to custody at this stage would not serve any purpose.

8. Consequently, the present petition is allowed. Interim bail granted to the petitioner, vide order dated 17.11.2023, is made absolute. She shall be admitted to bail on furnishing bail/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

9. Petitioner shall fully co-operate with the learned trial Court without seeking any unnecessary adjournment(s).

10. The above observations may not be construed as an expression of opinion on the merits of the case.

11. It is clarified that in case there is any misuse of concession of bail on the part of the petitioner, State of Punjab would be at liberty to move an appropriate application for recalling of this order. Also clarified that non-

appearance of petitioner before learned trial Court shall be construed as misuse of the concession.

12. Pending criminal misc. application(s), if any, shall also stand disposed off.

14.02.2024
SN

(MAHABIR SINGH SINDHU)
JUDGE

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