

IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

CRM-M No.60340 of 2023  
Date of decision: 12<sup>th</sup> January, 2024

Rachna Vashisht  
... Petitioner  
Versus  
State of Haryana  
... Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Sandeep S. Jattan, Advocate for  
Mrs. Kiran Bala Jain, Advocate for the petitioner.  
Mr. Rahul Mohan, Sr. Dy. Advocate General, Haryana  
for the respondent/State.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking the concession of bail under Section 439 Cr.P.C. in case FIR No.84 dated 21.03.2021 under Sections 148, 149, 323, 379-B, 506 IPC registered at Police Station Mahesh Nagar, District Ambala.
2. Learned counsel for the petitioner inter alia submits that after the FIR in question was registered on 21.03.2021, the petitioner, who as per the allegations levelled therein, was part of the unlawful assembly which snatched the gold chain and some cash from the complainant, had been extended the concession of bail on 30.04.2021. Learned counsel further submits that after being extended the concession of bail, the

petitioner had been regularly appearing before the trial Court, however, on 26.07.2023 she absented herself from the trial, which led to the initiation of proceedings under Section 82 of the Cr.P.C. The petitioner thereafter, approached this Court by way of CRM-M No.55651 of 2023, wherein this Court directed her to appear before the trial Court which she did on 22.11.2023, however, her application for regular bail was dismissed. Learned counsel submits that it has now been almost two months ever since she surrendered before the trial Court on 22.11.2023 and there is still no likelihood of the trial concluding in the near future as even charges have not been framed so far, coupled with the fact that as many as 23 witnesses have been cited by the prosecution.

3. Per contra, learned State counsel while opposing the prayer and submissions made by the counsel opposite, on instructions from ASI Krishan Pal, has not disputed the factual aspects of the submissions made by the counsel opposite qua the role attributed to the petitioner.

4. I have heard learned counsel for the parties and perused the relevant material on record.

5. There is no likelihood of the trial concluding in the near future as charges have not yet been framed and as many as 23 witnesses have been cited by the prosecution. In the facts and circumstances, as enumerated hereinabove, this Court thus deems it fit to extend the concession of bail to the petitioner. The petition as such is allowed and

the petitioner is admitted to bail to the satisfaction of the trial Court/Duty Magistrate. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

6. Needless to add here, in case the petitioner misuses the concession of bail, the State would be at liberty to approach this Court for cancellation of bail in the instant case.

(MANJARI NEHRU KAUL)  
JUDGE

January 12, 2024  
*rps*

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|---------------------------|--------|
| Whether speaking/reasoned | Yes/No |
| Whether reportable        | Yes/No |