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

CRM-M-39636-2024

Date of Decision: 08.01.2025

Chhinder Kaur alias Shinder Kaur

...Petitioner

VS.

State of Punjab

...Respondent

Coram : Hon'ble Mr. Justice N.S.Shekhawat

Present : Mr. Robin Singh Bhullar, Advocate
for the petitioner.

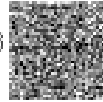
Mr.M.S.Bajwa, Deputy Advocate General, Punjab.

N.S.Shekhawat J. (Oral)

1. The petitioner has filed the instant petition under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 with a prayer to grant regular bail in case FIR No.19 dated 26.03.2024 registered under Sections 420, 465, 467, 468, 471 of IPC, at Police Station Talwandi Bhai, District Ferozepur.
2. As per the allegations levelled in the FIR, the petitioner was undergoing sentence in a case registered under the provisions of NDPS Act and she was released on parole to take care of her ailing son. Later on, she filed a petition before this Court for extension of parole and she had allegedly filed a fake medical certificate to get the relief from this Court. Accordingly, this Court had directed the police to register a case against the present petitioner.
3. Learned counsel for the petitioner contends that the petitioner was arrested in the present case on 08.05.2024. He further contends that the statements of the prosecution witnesses have already been recorded by the

2. As per the allegations levelled in the FIR, the petitioner was undergoing sentence in a case registered under the provisions of NDPS Act and she was released on parole to take care of her ailing son. Later on, she filed a petition before this Court for extension of parole and she had allegedly filed a fake medical certificate to get the relief from this Court. Accordingly, this Court had directed the police to register a case against the present petitioner.

3. Learned counsel for the petitioner contends that the petitioner was arrested in the present case on 08.05.2024. He further contends that the statements of the prosecution witnesses have already been recorded by the



Court and the petitioner is not in a position to influence the witnesses of the prosecution. Learned counsel further contends that the petitioner is a mother of three children and her one son Sukhwinder Singh is still bed ridden and there is no one to take care of her children.

4. On the other hand, short reply by way of an affidavit of Deputy Superintendent of Police (Rural), Ferozepur has been filed on behalf of the respondent-State in Court today and the same is taken on record. Learned State counsel has vehemently opposed the submissions made by learned counsel for the petitioner on the ground that serious allegations have been levelled against the present petitioner and he does not deserve the concession of bail by this Court.

5. I have heard the learned counsel for the parties and perused the record.

6. The petitioner was taken in custody on 08.05.2024 and is in custody since then. Still further, the prosecution evidence has already been concluded and there are no chances of influencing the witnesses of the prosecution. Apart from that, the case is triable by the Court of Magistrate and further custody of the petitioner will not serve any meaningful purpose.

7. Without commenting on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on bail subject to her 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 petitioner 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 her to disclose such facts to the Court or to any other authority.*
- (ii) *The petitioner shall remain present before the Court on the dates fixed for hearing of the case.*
- (iii) *The petitioner shall not absent herself from the Court proceedings except on the prior permission of the Court concerned.*
- (iv) *The petitioner shall surrender her passport, if any, (if already not surrendered), and in case she is not holder of the same, she shall swear an affidavit to that effect.*
- (v) *The petitioner shall also file her affidavit before the concerned Court, mentioning her ordinary place of residence and number of mobile phone, which shall be used by her during the pendency of the trial. In case of change of place of residence/mobile number, she shall share the details with the concerned Court/learned Trial Court.*
- (vi) *In case, the petitioner involves 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.*

08.01.2025
hemlata

(N.S.SHEKHAWAT)
JUDGE

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