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209 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-51425-2024

Date of decision: 08.01.2025

POOJA RANI

...PETITIONER

VERSUS

STATE OF PUNJAB

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Sunny K. Singla, Advocate for the petitioner.

Mr. Amandeep Singh Samra, AAG, Punjab.

SANJAY VASHISTH, J. (ORAL)

The instant petition has been filed under Section 483 of BNSS, for grant of regular bail to the petitioner – Pooja Rani, who has been booked for having committed the offence punishable under Sections 379(B)(2), 323, 341, 411, 34, 201 of IPC, 1860 in FIR No. 26, dated 27.03.2024, registered at Police Station City-I, Malerkotla, District Malerkotla, during the pendency of trial.

As per FIR, case of the prosecution is that on 26.03.2024 at about 4 a.m. The petitioner along with two boys while boarding a motorcycle, rounded up the complainant, when he was going towards Truck Union after parking the tipper. Accused inflicted injuries on the forehead, head, chest, back, stomach and left arm of complainant and snatched his bag. In the said bag, the cash amount of Rs. 46,000/-, some clothes and mobile phone make Redmi bearing mobile No.95695-71274 were lying.

Learned counsel for the petitioner submits that the investigation of the case has been completed and the other two accused, namely, Mohammad Shehbaj and Mohammad Arshad already been arrested and they all are inside

11. The petitioner is in custody since the last more than 09 months. Nothing

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requires to be recovered from her. He further submits that the petitioner is not involved in any other similar case.

In response to the arguments addressed by learned counsel for the petitioner, learned State counsel produces the custody certificate dated 07.01.2025 in Court today, which is taken on record, subject to all just exceptions. Office to tag the same at appropriate place.

A copy thereof has been handed over to the counsel for the petitioner.

As per custody certificate, petitioner is involved in one another case bearing FIR No.154 dated 11.05.2019, registered under Sections 21 and 22 of the NDPS Act, at Police Station Zirakpur, District SAS Nagar, Mohali and she is already on bail in the said NDPS case.

On being asked by the Court, learned State counsel further submits that only charges have been framed and process of recording of the evidence is yet to start.

After hearing learned counsel for the parties and perusing the relevant material on record with their able assistance, this Court finds substance in the submissions made by learned counsel for the petitioner by observing that petitioner who is a woman generally do not get involved in such like offences though, learned counsel for the petitioner has not detailed the circumstances under which the petitioner might have indulged in such activities.

However, considering the aspects that petitioner is a woman and trial is yet to commence; and petitioner is inside jail for the last more than 09 months; and nothing is required to be recovered from her as of now; I deem it appropriate to grant the concession of bail to the petitioner.

Consequently, prayer made in the present petition is **allowed**.

Petitioner is ordered to be released on bail, subject to her furnishing bail/surety

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bonds to the satisfaction of the learned trial Court/ Chief Judicial Magistrate/ Illaqa Magistrate/ Duty Magistrate concerned, if not required in any other case.

Needless to observe that the petitioner shall not extend any threat and shall not influence any prosecution witness in any manner directly or indirectly.

The observation made hereinabove shall not be construed as an expression of opinion on the facts of the case and the Trial Court is expected to decide the case on the basis of complete evidence available on record.

It is further made clear that if in future petitioner is found indulged in similar kind of activities, prosecution would be at liberty to seek cancellation of bail in the present case.

Petition stands disposed of.

08.01.2025

*renubala***(SANJAY VASHISTH)
JUDGE**

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