

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Crl. Misc. No. M-11024 of 2015

Date of decision:10.04.2015

Gulpinder Kaur

.... Petitioner

Versus

State of Punjab

.... Respondent

CORAM: HON'BLE MS. JUSTICE NAVITA SINGH

Present: Mr. Ashutosh Hoshiarpuri, Advocate for the petitioner.

Mr. K.S. Pannu, DAG, Punjab.

Navita Singh, J. (Oral)

This petition has been moved by Gulpinder Kaur under Section 439 of the Code of Criminal Procedure seeking regular bail in case FIR No.69 dated 18.11.2014 registered under Sections 406, 420 and 120-B IPC at Police Station Mullanpur Garibdass, District Mohali.

As per the custody certificate submitted today, the petitioner is in custody since 3.1.2015. However, counsel for the petitioner submits that he was arrested on 31.12.2014 and produced before the Magistrate on 1.1.2015 and after two days of police custody, he was sent to judicial custody. The petitioner is, therefore, actually in custody since 31.12.2014. As per order dated 4.3.2015, the application of the petitioner under Section 167(2) of Cr.P.C was rejected on the ground that challan stood presented in the Court.

State Counsel, however, submits, on instructions from ASI Baljinder Singh, Police Station Mullanpur that charge-sheet is ready but has not been filed in Court. There is no reason to disbelieve the order passed by the Court where even time of presenting the challan is given.

Since the trial has not yet started and custody of the petitioner is not required for any purpose. Bail to the satisfaction of the trial Court/ Duty Magistrate.

10.04.2015

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(NAVITA SINGH)

JUDGE