

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

Crl. Misc. M-26705 of 2017 (O&M)
Date of Decision: August 02, 2017

Baljinder Kaur @ Binder

...Petitioner

Versus

State of Punjab

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Dheeraj Mahajan, Advocate
for the petitioner.

Mr. Abhaypal Singh Gill, AAG Punjab.

JAISHREE THAKUR, J. (Oral)

The instant petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No.33 dated 12.05.2016, under Sections 376, 365, 511, 120-B of Indian Penal Code, registered at Police Station Sri Hargobindpur, District Gurdaspur.

Learned counsel for the petitioner contends that the petitioner herein was taken into custody in the aforesaid FIR on 13.05.2017. It is also contended that the name of the petitioner is not reflected in the FIR and during investigation, the name of the petitioner was kept in column No.2. It is submitted that the petitioner is a married lady and sister of accused Khushwinder Singh, who is in custody. It is further submitted that the

challan has been presented against the main case and co accused Banshi Kaur @ Harbans Kaur (Bua) has already been granted concession of interim pre-arrest bail. It is further contended that the petitioner is not required for further investigation, therefore, she is entitled to be enlarged on bail.

Per contra, learned counsel appearing on behalf of respondent-State, on instructions from Investigating Officer, opposes the bail application, while submitting that the offences alleged against the petitioner are serious in nature, therefore, the petitioner is not entitled to grant of regular bail.

I have heard learned counsel for the parties.

Since, the trial is likely to take some time and in view of the facts that no recovery is to be effected from the petitioner and that she is not required for any further investigation, no useful purpose would be served in keeping the petitioner behind the custody. Therefore, at this stage, without commenting on the merits of the case, the instant petition is allowed and the petitioner is directed to be released on regular bail on execution of adequate personal bond and surety bond to the satisfaction of concerned trial Court/Duty Magistrate.

August 02, 2017

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(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No