

Crl. Misc. No. M-43445 of 2018

Date of Decision: December 19, 2018

Pammi Kumari

.....Petitioner

versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR.JUSTICE SUDHIR MITTAL

Present: Mr. Hitesh Pandit, Advocate for the petitioner

Mr. R.S. Bains, DAG Punjab

Sudhir Mittal, J. (Oral)

The petitioner seeks grant of regular bail in case FIR No. 180 dated 25.05.2018, registered at Police Station Sahnewal, Ludhiana, under Sections 326, 328, 342, 148, 149 IPC.

The allegations against the petitioner are that she wanted to marry the son of the complainant and since he was not inclined to do so, she injected him with some intoxicating substance with the assistance of her co-accused and then emasculated him.

Learned counsel for the petitioner submits that infact, the petitioner was assaulted by son of the complainant. He had been pursuing her earlier also and as a result an FIR dated 08.03.2018 had been got registered by the petitioner against him. In the said case, challan has already been presented which shows that the petitioner is innocent. Moreover, the petitioner has been in custody since 05.07.2018. The trial is not likely to be concluded at an early date as only one PW has been examined till date, thus, the petitioner may be released on regular bail.

Learned State counsel does not dispute the aforementioned factual submissions. His only submission is that a serious offence has been committed by the petitioner and, therefore, she doe not deserve regular bail.

Keeping in view the fact that allegations against son of the complainant are also being enquired into, as on date, it can not be conclusively said that the petitioner had guilty mind. The trial is not likely to be concluded at an early date and keeping in view the custody period of the petitioner, I deem it appropriate to release her on regular bail.

Accordingly, the petition is allowed and the petitioner is directed to be released on regular bail on her furnishing bail and surety bonds to the satisfaction of the trial Court concerned.

December 19, 2018

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[SUDHIR MITTAL]
JUDGE

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No