

In the High Court of Punjab and Haryana at Chandigarh

Crl. Misc. No. M-48832 of 2018

Date of Decision: 27.11.2018

Balwinder Kaur @ Pooja

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE ANITA CHAUDHRY

Present: Mr. Kulwant Singh, Advocate
for the petitioner.

Ms. Jaspreet Kaur, AAG, Punjab.

ANITA CHAUDHRY, J

The petitioner is seeking regular bail in FIR No. 140 dated 7.12.2016 registered at Police Station Hathur, Ludhiana (R) under Sections 363, 366-A, 372, 511, 120-B IPC and Section 18 of POCSO Act.

Counsel for the petitioner contends that the petitioner is in custody since 21.12.2016 and the main witnesses have been examined and the allegations against the petitioner are that the victim was taken by the accused to another village and she was handed over to the sister-in-law of the petitioner and she was compelled to do whatever was asked. The counsel further submits that there are no allegations of rape against any of the accused.

State counsel informs that no allegations of rape have been levelled against any accused. On query, it is informed that there is no other case registered against the petitioner. It is also stated that four witnesses

have been examined while four witnesses have been given up and only three witnesses remain to be examined.

The prosecutrix has been examined at the trial. The petitioner is in custody for almost two years. The trial is taking time.

Without commenting anything on the merits of the case and considering the fact that the trial will take time to conclude, the petition is allowed and the petitioner is ordered to be released on bail on her furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate.

(ANITA CHAUDHRY)
JUDGE

November 27, 2018
Gurpreet

Whether speaking/reasoned : Yes
Whether reportable : No