

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

**CRM-M No.7601 of 2019 (O&M)
Date of Decision: 02.04.2019**

Amanpreet Kaur

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Ms. Monita Mehta, Advocate for the petitioner.

Mr. Sandeep Kumar, Deputy Advocate General, Punjab
for the respondent/State.

MAHABIR SINGH SINDHU, J. (Oral)

Present petition has been filed under Section 439 of the Code of Criminal Procedure for grant of bail pending trial to the petitioner in case FIR No.13 dated 16.03.2016 (**P-1**), under Sections 307, 325, 452, 394, 427, 506, 120-B, 34 of the Indian Penal Code, 1860 and Section 25 of the Arms Act, 1959, registered at Police Station Kabirpur, District Kapurthala.

Contentends that petitioner is in custody since 18.03.2016 and charges were framed on 06.08.2016. Further contends that there are total 23 prosecution witnesses and out of them, only 09 have been examined.

The above factual position is duly acknowledged by learned State Counsel, on instructions from ASI Manjinder Singh.

Undisputedly, petitioner is in custody for the last three years and there is no allegation that she caused any injury to the injured; rather she has been implicated with the aid of Section 120-B, IPC.

No doubt, allegations against the other co-accused are serious in nature as the gun shot injuries were attributed to them, but the fact remains

that petitioner is a female; there is no other criminal case against her and trial of the case is likely to take long time, therefore, further incarceration of the petitioner would not serve any purpose. Consequently, this Court is left with no option except to release the petitioner on bail forthwith. Therefore, without expressing any opinion on the merits of the case, the present petition is allowed. Petitioner be admitted to bail on her furnishing bail bonds and surety bonds to the satisfaction of learned trial Court/Duty Magistrate concerned.

The above observations may not be construed as an expression of opinion on the merits of the case.

April 02, 2019
Gagan

(MAHABIR SINGH SINDHU)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes</i>
<i>Whether Reportable</i>	<i>Yes</i>