

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

CRM-M No.27821 of 2019 (O&M)

Date of Decision: 12.07.2019

Satwinder Kaur

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present:- Mr. V.K.Sandhir, Advocate for the petitioner.

Mr. Venu Gopal Jauhar, Sr. DAG, Punjab for the respondent.

Mr. Amandeep Singh Manaise, Advocate for the complainant.

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.09 dated 28.01.2019, under Sections 307/34 of the Indian Penal Code, 1860 and Sections 25/54/59 of the Arms Act, registered at Police Station Bhaini Mian Khan, District Gurdaspur.

Contends that petitioner is in advanced stage of a family way and a specific reference is made to the Medical Report dated 22.06.2019 (P-2). Also contends that even in the FIR also, name of the petitioner is not mentioned.

On the other hand, learned State Counsel, on instructions from ASI Mohan Lal, has acknowledged the above factual position, but he opposed the prayer on the ground that it is the petitioner, who is the route cause of the entire gamut in this case.

Similar argument has been adopted by learned Counsel for the complainant.

Although, on earlier occasion, first application of the petitioner was dismissed as withdrawn, but taking into consideration the sole ground for the welfare of the foetus, this Court is inclined to grant the concession of bail pending trial to the petitioner. Consequently, 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.

July 12, 2019
Gagan

(MAHABIR SINGH SINDHU)
JUDGE

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No