

**108+220 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M-38202-2019 (O&M)
Date of Decision : 28.11.2019

Mandeep KaurPetitioner

versus

State of PunjabRespondent

CORAM : HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present: Mr. Rahul Rana, Advocate for
Mr. Harmanpreet Singh, Advocate
for the petitioner.

Ms. Sakshi Bakshi, Asstt.A.G., Punjab
for the respondent-State.

FATEH DEEP SINGH, J. (ORAL)

The petitioner-Mandeep Kaur, who is an accused in a case bearing FIR No.53 dated 05.05.2019 under Sections 363, 366-A, 420, 467, 468, 471 and 120-B of the Indian Penal Code registered at Police Station Daba, District Ludhiana, is in custody since 07.06.2019 and has sought regular bail before this Court.

The primary allegations against the petitioner are that she helped the principal accused-Gurjit Singh @ Guri in preparing and

forging a marriage certificate of a girl, then the minor, showing her to be a major and filing a petition for protection in this Court. It is further alleged that the petitioner has counter-signed the marriage certificate as a witness depicting herself to be a close relation of the principal accused.

Learned counsel for the petitioner *inter alia* argues that the offence under Sections 420, 467, 468 and 471 of the Indian Penal Code since then stand deleted and that the petitioner is behind the bars since long time and there is nothing established as to her role in the commission of the offence.

The learned State counsel, on instructions from SI Tarsem Singh, Police Station Daba, District Ludhiana, though does not displace the facts but has conceded at the bar that offence under Sections 420, 467, 468 and 471 of the Indian Penal Code stands deleted and has opposed the grant of bail on the grounds of the heinousness of the offences.

The petitioner is behind the bars for almost 05 months. The main offences for which attribution has come about against the petitioner, as per own stand of the State, stands deleted. Thus, debatable issue arises over her role in the commission of offence, which can only be adjudicated at the trial, being a woman and in custody, necessitates to dispose off the present petition. This Court is of the opinion that it would serve no useful purpose to further

detain the petitioner in custody. Accordingly, she is ordered to be released on regular bail to the satisfaction of the Chief Judicial Magistrate/Duty Magistrate/Ilalaqa Magistrate of the Court concerned.

The petition stands disposed off accordingly.

28.11.2019
Neha

(FATEH DEEP SINGH)
JUDGE

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