

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

213

CRM-M-39422-2019

Date of Decision:28.11.2019

Joginder Kaur @ Simmi

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR.JUSTICE HARI PAL VERMA.

Present: Mr. M.K. Dogra, Advocate,
for the petitioner.

Mr. Saurav Khurana, DAG, Punjab.

Mr. Rajinder Sharma, Advocate,
for the complainant.

HARI PAL VERMA, J.(Oral)

Prayer in this 2nd petition filed under Section 439 Cr.P.C. is for grant of regular bail to the petitioner in FIR No.56 dated 09.05.2019 under Sections 376-D, 120-B IPC, registered at Police Station E-Division, Amritsar.

The earlier petition i.e. CRM-M-27916-2019 was dismissed as withdrawn on 09.07.2019. Learned counsel for the petitioner states that when earlier petition filed by the petitioner was dismissed as withdrawn, at that time, since challan in the case was not presented, but now charges in the case have been framed. Petitioner is in custody since 10.05.2019. The allegation against the petitioner is that main accused Vicky and Gagandeep took the prosecutrix on the false pretext of finding jobs for them and kept

them in the petitioner's house and committed rape in the premises owned by her(petitioner). He submits that except the present case, there is no other case against the petitioner.

Learned State Counsel, on instructions from SI Simranpreet Kaur, submits that the petitioner runs a brothel, which is apparent from the statement made by the prosecutrix under Section 164 Cr.P.C. and in this manner, she is an accused with other co-accused with the aid of Section 120-B IPC.

Heard learned counsel for the parties.

Admittedly, the petitioner is in custody since 10.05.2019 and there is no other case against her. Moreover, as against total 28 witnesses cited by the prosecution, no witness has been examined. Trial in the case is not likely to be concluded in the near future. Therefore, this Court deems it appropriate to admit the petitioner on bail.

Accordingly, the present petition is allowed and the petitioner is admitted on regular bail, subject to her furnishing adequate bail bonds/surety bonds to the satisfaction of trial Court.

November 28, 2019
seema

(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No