

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Sr. No.209

CRM-M-53748-2019

Date of decision : 19.12.2019

Kuldeep Kaur

..... Petitioner

VERSUS

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. Harsh Chopra, Advocate, for the petitioner.

Mr. Prabhjot Singh Walia, AAG, Punjab

SUDHIR MITTAL, J. (Oral)

The petitioner seeks regular bail in case FIR No.316 dated 7.9.2019, registered at Police Station Phillaur, District Jalandhar, under Sections 370/420/508/511 IPC.

Learned counsel for the petitioner submits that there is no overt allegation made against the petitioner in the FIR. The petitioner has been in custody for over 03 months now and the trial is not likely to be concluded at an early date as charges have also not been framed as yet. There is no criminal case pending/decided against the petitioner and she may be granted regular bail.

Custody certificate dated 18.12.2019, prepared by Sh. Baljit Singh, PPS, Deputy Superintendent, Central Jail, Kapurthala, has been filed by the learned State counsel in Court today and the same is taken on record. According to this certificate, the petitioner has undergone actual custody of 03 months and 07 days and there is no other criminal case pending/decided against her.

Learned State counsel submits that the petitioner is also accused of procuring girls for immoral purposes and the same is a heinous offence.

Thus, she does not deserve regular bail.

It is not in dispute that charges have not yet been framed, thus, the trial is not likely to be concluded at an early date. There is no overt allegation against the petitioner in the FIR and there is no other criminal case pending/decided against her. Thus, in view of the fact that the trial is not likely to be concluded at an early date and the other attended circumstances such as, the petitioner not having other criminal antecedents and that there is no direct allegation against her in the FIR, the interest of justice would be adequately served by granting regular bail to the petitioner.

Keeping in view the facts and circumstances of this case, I deem it appropriate to allow this petition. Accordingly, the petition is allowed and petitioner is ordered to be released on bail on her furnishing bail and surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

(SUDHIR MITTAL)
JUDGE

19.12.2019

Ramandeep Singh

Whether speaking / reasoned

Yes / No

Whether Reportable

Yes/ No