

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

**CRM-M No.2931 of 2020 (O&M)
Decided on: 28.01.2020**

Laxmi

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR JUSTICE ARVIND SINGH SANGWAN

Present : Mr. R.D. Rattewal, Advocate
for the petitioner.

Mr. A.P.S. Gill, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (Oral)

Prayer in this petition is for grant of regular bail to the petitioners under Section 439 of the Code of Criminal Procedure (in short 'Cr.P.C.') in FIR No.316 dated 07.09.2019, for offence punishable under Sections 370, 420, 508, 511 of the Indian Penal Code, 1860 (in short 'IPC') (Section 120-B IPC added later vide General Diary No.24 dated 31.10.2019) registered at Police Station Phillaur, District Jalandhar.

Counsel for the petitioner has argued that as per the allegations in the FIR, registered at the instance of Manjit Kaur, she is a labourer and on 04.09.2019, a lady namely Laxmi i.e. the present petitioner along with the co-accused Harpreet Kaur and her mother Kuldeep Kaur came to her house in her absence when her daughter was alone and by showing some video of a Baba of Delhi told her that if she

accompany them, she can earn a lot of money. On this her daughter became frightened and asked them to contact her mother. Upon this, the husband of the complainant informed the incident to the Sarpanch and the present FIR was registered. It is further argued that the petitioner is the first offender and she is in custody for the last about 04 months and 16 days and the co-accused of the petitioner namely Kuldeep Kaur has already been granted the concession of regular bail vide order dated 19.12.2019 passed in CRM-M No.53748 of 2019 noticing the fact that no overt allegation against the petitioner are made in the FIR. Lastly, it is argued by counsel for the petitioner that till date, charges have not been framed and it will take long time in conclusion of the trial.

Counsel for the State, on instructions from the Investigating Officer and on the basis of the Custody Certificate, filed in the Court today, has not disputed the factual position but opposed the prayer for bail.

Without commenting anything on merits of the case, considering the fact that the petitioner are in custody for the last 04 months and 16 days; challan stands presented; charges are yet to be framed; the co-accused of the petitioner namely Kuldeep Kaur, has already been granted the concession of bail; the petitioner is not involved in any other case; the custodial interrogation of the petitioner is not required and it will take some time in conclusion of the trial, this petition is allowed and the petitioner is directed to be released on bail subject to her furnishing bail/surety bonds to the satisfaction of the trial Court/Illaq Magistrate/Duty Magistrate.

However, it will be open for the prosecution to apply for

cancellation of bail of the petitioner, in case she is found involved in any other case or misusing the concession of bail, in any manner.

28.01.2020
yakub

(ARVIND SINGH SANGWAN)
JUDGE

Whether speaking/reasoned	Yes/No
Whether reportable:	Yes/No