

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

CRM-M-29045 of 2020.

Decided on:- December 04, 2020.

Binder Kaur @ Binder and another

.....Petitioners.

Versus

State of Punjab.

.....Respondent.

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

Present:- Mr. P.K.S. Phoolka, Advocate
for the petitioners.

Mr. Randhir Singh Thind, D.A.G., Punjab.

HARI PAL VERMA, J. (Oral)

The matter has been taken up for hearing through video conferencing due to outbreak of COVID-19.

The petitioners have filed present petition under Section 439 Cr.P.C. seeking regular bail in FIR No.145 dated 11.07.2020 under Sections 363 and 366-A IPC (offence under Sections 370, 372, 373 and 376 IPC, Sections 3 and 4 of the Protection of Children from Sexual Offences Act, 2012 and Section 75 of the Juvenile Justice (Care and Protection of Children) Act, 2015 were added later on vide DDR No.28 dated 16.07.2020) registered at Police Station Canal Colony, Bathinda, District Bathinda.

Learned counsel for the petitioners has submitted that the petitioners are in custody since 22.07.2020. The other co-accused, namely,

Kapil Dev and Khushwinder Singh @ Raju have already been admitted on regular bail vide orders dated 07.09.2020 (Annexures P-8 and P-9) passed by learned Additional Sessions Judge, Bathinda, whereas other co-accused, namely, Kulwinder Kaur @ Gagan has been admitted on regular bail by this Court vide order dated 28.08.2020 (Annexure P-7) passed in ***CRM-M-24200 of 2020*** titled as ***Kulwinder Kaur @ Gagan Versus State of Punjab***.

He has further submitted that the Challan in the case has been presented and charge is yet to be framed and in this manner, the trial is not likely to be concluded in near future.

Learned State counsel does not dispute the custody of the petitioners and the fact that the main accused, namely, Kapil Dev and Khushwinder Singh @ Raju and other co-accused, namely, Kulwinder Kaur @ Gagan have already been admitted on regular bail.

I have heard learned counsel for the parties.

Considering the fact that the petitioners are in custody since 22.07.2020 and the other co-accused have already been admitted on regular bail coupled with the fact that the conclusion of trial is likely to take long time, this Court finds that the petitioners Binder Kaur @ Binder and Amandeep Kaur @ Money @ Manu deserve to be admitted on bail.

Accordingly, the present petition is allowed and the petitioners are ordered to be released on bail on their furnishing adequate bail and surety bonds to the satisfaction of learned trial Court/Duty Magistrate.

The observations made hereinabove shall not be construed as an expression of opinion on the merits of the case and the trial Court shall decide the case without being influenced with these observations in any manner.

December 04, 2020
Yag Dutt

(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned:	Yes
Whether Reportable:	No