

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-28007-2019 (O&M)

Date of decision: - 03.06.2020

Amanpal Kaur

....Petitioner

Versus

State of Punjab

.....Respondent

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. B.R. Rana-I, Advocate
for the petitioner.

Mr. Ajay Pal Singh Gill, Deputy Advocate General, Punjab.

Mr. J.K. Singla, Advocate
for the complainant.

HARSIMRAN SINGH SETHI, J. (ORAL)

This petition has been taken for hearing through video conference due to Covid-19 pandemic.

Present petition has been filed under Section 439 Cr.P.C. for the grant of regular bail to the petitioner in FIR No.24 dated 16.02.2018, under Sections 420 and 120-B IPC (later on added Sections 465, 467, 468 and 471 IPC), registered at Police Station Bhikhi, District Mansa.

Learned counsel for the petitioner submits that the petitioner is already behind the bars since 28.10.2018 and almost all the material witnesses of the prosecution, except two, have already been examined

including the complainant and therefore, keeping the petitioner behind the bars, at this stage, serves no purpose.

Learned State counsel concedes that only two witnesses i.e. as stamp paper vendor as well as the Clerk of the Bank are still to be examined. Learned State counsel concedes that the complainant and all other material witnesses have already been examined.

Learned counsel appearing on behalf of the complainant submits that the petitioner was arrested after six months of the registration of the FIR and therefore, the petitioner is not entitled for the grant of regular bail and he should be kept behind the bars during the trial.

I have heard learned counsel for the parties and have gone through the record.

Petitioner is behind the bars since 28.10.2018 and the material witnesses of the prosecution have already been examined. Further, nothing has been pointed out, which necessitates that the petitioner be kept behind the bars during the trial as at this stage he cannot influence the prosecution witnesses as they have already been examined.

Keeping in view the facts and circumstances of this case and without commenting upon the merits of the case, it is directed that the petitioner be released on regular bail, subject to the satisfaction of trial Court/Duty Magistrate, Mansa.

However, it is made clear that anything observed herein shall not be construed to be an expression of any opinion on the merits of the case.

It is also made clear that the petitioner will not, in any way, influence the witnesses i.e. neither in the present case or in another FIR being FIR No.26 dated 07.02.2018, under Section 420 IPC and 13 of the Punjab Prevention of Human Smuggling Act, 2012, registered at Police Station Sadar Patiala.

June 03, 2020
naresh.k

(HARSIMRAN SINGH SETHI)
JUDGE

Whether reasoned/speaking?	Yes
Whether reportable?	No