

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-362-2021

Date of Decision: April 29, 2021

KARAMJIT KAUR @ KAKI

..... Petitioner(s)

Versus

STATE OF PUNJAB

..... Respondent(s)

CORAM:- HON'BLE MRS. JUSTICE LISA GILL

Present: Mr. Vikas Arora, Advocate
for the petitioner.

Mr. Saurav Khurana, DAG, Punjab.

LISA GILL, J.

This matter is being taken up for hearing through video conferencing due to outbreak of the pandemic, COVID-19.

The petitioner prays for grant of bail pending trial in FIR No. 187, dated 25.07.2020 under Sections 379-B, 307, 473, 427 IPC, registered at Police Station Civil Lines Patiala, District Patiala.

Learned counsel for the petitioner submits that petitioner is sought to be falsely implicated in this FIR only due to pendency of 4 other FIRs, which stand registered against her, wherein she is, however, on bail. Learned counsel for the petitioner further contends that no specific role in the commission of the offences as alleged, is attributed to the present petitioner, neither has any recovery been affected from her. Petitioner has been in custody since 25.07.2020. Final report/challan stands presented, moreover, one of the co-accused of petitioner namely Rupo, against whom

29 other criminal cases are stated to be registered, has been afforded the concession of bail pending trial by the trial Court on 11.02.2021 where as the concession of bail has been wrongly denied to the petitioner vide order dated 19.10.2020 (Annexure P2). It is, thus, prayed that this petition be allowed.

As per allegations in the FIR, information was received from a secret informer regarding the present petitioner alongwith other co-accused, travelling in a car as mentioned therein. It is stated that the accused are habitual of stealing gold jewellery, cash etc. at crowded places from men and women who board and de-board buses as well as from aged persons. The victims are taken to secluded places and deprived of their jewellery and cash forcibly. It is further stated that when the accused were sought to be apprehended, driver of the car instead of stopping, drove towards ASI Sandeep Singh. Driver of the car as well as one lady travelling in the car were successful in fleeing the spot. Present petitioner alongwith two other co-accused namely Rupo and Lachmi @ Lacho, who were also travelling in the car, were apprehended.

Learned counsel for the State has opposed this petition while submitting that petitioner is involved in four other criminal cases. However, learned State counsel, on instructions from ASI Jaspal Singh, informs that no recovery has been affected from the petitioner in the present FIR. Learned State counsel further informs that final report/challan stands presented and petitioner has been in custody since 25.07.2020 and she is on bail in the other FIRs registered against her. Learned State counsel further verifies that

the co-accused Rupo, apprehended alongwith the present petitioner, has been afforded the concession of bail pending trial on 11.02.2021.

There is no allegation that the petitioner is likely to abscond or influence witnesses. Trial in this case not likely to conclude in the near future and in view of the conditions caused due to outbreak of the pandemic COVID-19, no useful purpose would be served by keeping the petitioner incarcerated any longer.

Keeping in view the facts and circumstances of the case but without commenting upon or expressing any opinion on the merits thereof, this petition is allowed. The petitioner be released on bail pending trial subject to her furnishing requisite bail bonds and surety to the satisfaction of the learned Trial Court/Duty Magistrate.

It is clarified that none of the observations made hereinabove shall be construed to be a reflection on the merits of the case. The same are solely confined for the purpose of decision of the present petition.

29.04.2021
Sunil

(LISA GILL)
JUDGE

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