

CRM-M-7815-2021

Date of Decision: 25.02.2021

Shabnam

... Petitioner

v/s

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Mr. Ashish Grover, Advocate for the petitioner.

Mr. H.S.Sullar, DAG Punjab.

*(The case has been taken up through video conferencing on
account of Covid-19 pandemic)*

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VIVEK PURI, J. (ORAL)

Petitioner-Shabnam w/o Satish Kumar has prayed for grant of regular bail in case FIR No.112 dated 21.9.2019, under Section 364/34 IPC and Section 342 IPC added lateron, registered at Police Station Cantt. Bathinda.

Briefly, the allegations against the petitioner and the co-accused namely Kaka Singh are to the effect that on 20.9.2019, they had kidnapped two minor children of the complainant.

It has been contended by learned counsel for the petitioner that similarly placed co-accused Kaka Singh has been granted bail in terms of the order dated 17.11.2020 passed in CRM-M-16968-2020 after he had undergone custody for over one year and one month. The children were recovered unharmed within few hours and out of 9 witnesses only two witnesses have been examined so far. The petitioner is a lady who has undergone incarceration for a period exceeding one year and five months.

Learned State counsel, on instructions from ASI Teja Singh, has not disputed the aforesaid factual aspect of the case.

In the instant case, petitioner has undergone custody for a

period of one year, five months and one day, there is no other case pending against her, similarly placed co-accused has been granted bail, children were recovered unharmed within few hours, only two witnesses have been examined so far, the conclusion of trial is likely to take some time and no fruitful purpose would be served by detaining the petitioner in custody.

In such circumstances, sufficient grounds are made out to extend the concession of regular bail to the petitioner. Therefore, without making any expression of opinion on the merits of the case, it is ordered that the petitioner be released on regular bail subject to her furnishing requisite bail bonds/surety bonds to the satisfaction of the concerned trial Court/Chief Judicial Magistrate/Duty Magistrate.

The petition is allowed.

(VIVEK PURI)
JUDGE

25.02.2021

Janki

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