

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH

CRM-M No.18515 of 2021 (O&M)

Date of Decision:03.08.2021

(Heard through VC)

Kuljit Kaur @ Babbi

...Petitioner

Versus

State of Punjab

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Gagandeep Singh Simble, Advocate
for the petitioner.

Ms. Rashmi Attri, AAG, Punjab.

JAISHREE THAKUR, J. (ORAL)

This petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No.313 dated 12.09.2020 under Sections 376/366/120-B of IPC (Section 67 IT Act, 2000 added later on) registered at Police Station Jandiala, District Amritsar.

Counsel for the petitioner herein would contend that the petitioner has been falsely implicated in the said matter and is in custody since 26.02.2021. It is also contended that the complainant and the accused i.e. Harinderpal Singh @ Pindu were in a relationship and when the family of the complainant came to know about their relationship, the present FIR was registered against the main accused and his entire family members. It is alleged that no such incident, as stated in the FIR, has ever taken place. It is argued that the petitioner nowhere related to the alleged incident and she is only parental aunt of the accused. It is submitted that there is an inordinate

delay of two months in registration of the FIR which has been registered on 12.09.2020 whereas the incident took place on 10.07.2020. It is also submitted that the investigation stands completed and challan has been presented and trial is likely to take some time to conclude, therefore, custody of the petitioner would no longer be required.

Learned counsel for the respondent-State would oppose grant of bail to the petitioner by contending that the allegations levelled against her are serious in nature but is not in a position to dispute the fact that the investigation stands completed and challan has been presented.

I have heard counsel for the parties. Keeping in view the fact that investigation stands completed and challan has been presented and trial is likely to take some time to conclude, no useful purpose would be served in keeping the petitioner behind bars. The instant petition is allowed and the petitioner is directed to be released on regular bail on execution of adequate personal/surety bond to the satisfaction of concerned trial Court/Duty Magistrate. However, any observation made herein shall not be construed to be an expression on merits of the case.

August 03, 2021
Pankaj*

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No