

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

CRM-M No.40655 of 2020 (O&M)

Date of Decision:03.08.2021

(Heard through VC)

Sandeep Kaur @ Karamjit Kaur

...Petitioner

Versus

State of Punjab

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Rishu Mahajan, 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 363/376/120-B of IPC 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 30.10.2020. 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 accused and his entire family members. It is alleged that no such incident, as stated in the FIR has ever taken place. It is further stated that the petitioner has to look after her minor child which is two years old. It is also 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 husband of the petitioner, who has been nominated in the said FIR as an accused, has already been granted concession of bail. The investigation has been completed and challan stands presented, 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, however, she does not dispute the fact that investigation has been completed and challan stands presented.

I have heard counsel for the parties. Keeping in view the fact that investigation has been completed and challan stands presented and the trial is likely to take some time to conclude and moreover the petitioner has to look after a minor child of two years, 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.

(JAISHREE THAKUR)
JUDGE

August 03, 2021
Pankaj*

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No