

**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

CRM-M No. 801 of 2022 (O&M)

Date of Decision: 19.07.2022

Balwinder Kaur

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Paras Jagga, Advocate,
for the petitioner.

Mrs. Anju Sharma Kaushik, Deputy Advocate General, Punjab

MAHABIR SINGH SINDHU, J.

1. Present petition has been filed under Section 439 of Criminal Procedure Code for seeking regular bail, pending trial in FIR No. 50, dated 05.04.2021, under Sections 370, 370-A, 372 & 373 of the Indian Penal Code, 1860, and Sections 3, 4 & 5 of Immoral Traffic Prevention Act, 1956, registered at Police Station City Sangrur, District Sangrur.

2. Allegations in brief are that Karamjit Singh S/o Harnek Singh, who is stated to be retired Inspector from PRTC, alongwith his wife – Balwinder Kaur, was running a brothel in his house, situated at Jujhar Nagar (Sangrur). On the basis of above secret information, six minor girls alongwith other co-accused were caught from the spot.

3. This Court, on 05.04.2022, granted interim bail to petitioner in the following manner:-

*“ Learned Counsel for the petitioner submits that
connected matter bearing CRM-M-52207-2021, filed by co-*

accused (husband of the petitioner), is pending for 19.07.2022.

To be heard alongwith CRM-M-52207-2021 on 19.07.2022.

In the meanwhile, petitioner be released on interim bail in the present case till the next date of hearing on her furnishing adequate bail and surety bonds subject to the satisfaction of learned trial Court/CJM/Duty Magistrate concerned. ”

4. Learned counsel submits that after grant of interim bail, petitioner has been regularly appearing before the learned Court below, but there is no progress of trial at all. She also contends that there is no other criminal case pending against petitioner, except present FIR. Also contended that it is not the apprehension or allegation that in case, petitioner is granted bail, there would be any threat to the prosecution witnesses or the same is likely to hamper the trial in any manner.

5. Learned State Counsel, on instructions from concerned quarter, does not dispute the above factual position; rather acknowledged that out of 25 prosecution witnesses, none has been examined till date.

6. In view of the above, this Court is of the opinion that sending the petitioner in custody at this stage would not serve any purpose.

7. Consequently, the present petition is **allowed**. Interim bail granted to the petitioner, vide order dated 05.04.2022, is made absolute.

She shall be admitted to bail on her furnishing bail/surety bonds to the

satisfaction of learned trial Court/Chief Judicial Magistrate/Duty

Magistrate concerned.

8. Petitioner shall fully co-operate with the learned trial Court without seeking any unnecessary adjournments.
9. The above observations may not be construed as an expression of opinion on the merits of the case.
10. It is clarified that in case there is any misuse of concession of bail on the part of the petitioner, State of Punjab would be at liberty to move an appropriate application for recalling of this order.
11. Pending application(s), if any, shall also stand(s) disposed off.

July 19, 2022
'dk kamra'

(MAHABIR SINGH SINDHU)
JUDGE

<i>Whether Speaking/reasoned</i>	<i>Yes</i>
<i>Whether Reportable</i>	<i>Yes</i>