

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

223-A

CRM-M-2856-2021 (O&M)

Date of Decision: 24.05.2022

MANDEEP KAUR

... Petitioner

Versus

STATE OF PUNJAB

... Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

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

Mr. Harbir Sandhu, AAG, Punjab.

Mr. Arun Takhi, Advocate for the complainant.

HARNARESH SINGH GILL, J.(Oral)

Through this petition, the petitioner seeks regular bail in case bearing FIR No.215 dated 01.12.2020 (Annexure P-1), under Sections 364-A, 369, 342, 506, 381, 473, 171 and 120-B IPC, registered at Police Station Dugri, District Ludhiana, Punjab.

Learned counsel for the petitioner submits that the petitioner has no role to play in the alleged occurrence; that the petitioner was not named in the FIR; that Harjinder Pal Singh, driver of the complainant was named in the FIR; that neither the complainant nor the prime/eye witness(es) has named the petitioner; that the allegations are primarily against Harjinder Pal Singh that he had kidnapped son of the complainant aged about 2½ half year and had demanded a ransom of Rs.4 Crore and that the eye-witness has named two persons, namely, Sukhdeep Singh @ Sukha and Lal Singh (husband of the petitioner). He further submits that the petitioner has been in custody since 05.12.2020 and that the petitioner

has been indicted in the present case only with the allegation that at one point of time, her husband, namely, Lal Singh, had brought the child to their house. Still further, it is submitted that the child was recovered within 24 hours of the alleged occurrence.

Per contra, while opposing the prayer for grant of regular bail to the petitioner, learned State counsel assisted by learned counsel for the complainant does not dispute the custody period of the petitioner. He, however, submits that the petitioner had actively participated in the occurrence and that she was very much aware of the crime being committed by her husband and co-accused. He further submits that all the prosecution witnesses, except the complainant, are yet to be examined.

I have heard the learned counsel for the parties.

The petitioner is the wife of Lal Singh, who has been in custody since 05.12.2020. Complainant has already been examined and the remaining prosecution witnesses are yet to be examined. In such circumstances, the trial of the case would take a long time to conclude. Therefore, no useful purpose would be served by keeping the petitioner behind the bars.

In view of the above and without commenting anything on the merits of the case, lest it should prejudice the case of either side, the present petition is allowed and the petitioner is ordered to be released on bail on her furnishing bail/surety bonds to the satisfaction of the learned trial Court/Duty Magistrate/Chief Judicial Magistrate concerned.

24.05.2022

Aman Jain

(HARNARESH SINGH GILL)
JUDGE

<i>Whether speaking/reasoned</i>	:	<i>Yes/No</i>
<i>Whether reportable</i>	:	<i>Yes/No</i>