

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

**CRM-M-6688 of 2022
Date of Decision:- 17.05.2022**

Kulvir Kaur @ Deep Kaur

....Petitioner

Vs.

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

Present:- Mr. Simranjit Singh, Advocate
for the petitioner.

Mr. Samina Dhir, DAG, Punjab.

KARAMJIT SINGH, J.

Prayer is for grant for regular bail to the petitioner in case having FIR No.26 dated 02.04.2018 registered under Sections 436, 511, 120-B IPC, 1860, Police Station Sadar Banga, District Shaheed Bhagat Singh Nagar.

As per the allegations appearing in the FIR, the petitioner who was earlier residing in Malaysia, used to finance anti social elements and encourage them to do illegal activities. That in furtherance of the same, the petitioner financed the remaining accused and the said accused were apprehended while they were

going to set ablaze a liquor vend in the area of Gunachor and to affix posters of Khalistan Zindabad on the wall of said liquor vend, on 2.4.2018. However, on the way co-accused Jaspreet Singh, Randhir Singh, Manvir Singh and Sukhwinder Singh were apprehended by the police on the basis of suspicion and one match box, one plastic can containing kerosene oil and gloves were recovered from them. During investigation of the case, the present petitioner was arrested on 15.8.2019.

The counsel for the petitioner made a prayer for grant of regular bail to the petitioner. The counsel contends that co-accused have already been granted bail and petitioner is languishing in jail for the last more than 2 years and 7 months. The counsel further contends that the petitioner gave birth to child who is now 2 years old and is living with the petitioner in the jail premises since birth. The counsel for the petitioner further contends that it will take time for conclusion of the trial.

The present petition is contested by the State counsel who submitted that the petitioner is involved in anti national activities and she used to finance the supporters the Khalistan and in the present case she financed her co-accused and incited them to burn liquor vend. The State counsel further submitted that trial is going on and would be concluded shortly.

I have considered the submissions made by both the parties.

The petitioner was not named in the FIR. The co-accused were apprehended by the police and one match box, one plastic can and gloves were recovered from them. The petitioner was arrested in the present case on 15.08.2019 and since then she is in custody. As per the counsel for the petitioner, she gave birth to a child in the jail and the said child of tender age is being looked after by the petitioner. In another case which was registered against her, the petitioner has been granted bail by this Court vide order dated 21.12.2021. In the present case, trial is going on but it will take time to conclude the trial.

In view of the above, this Court is of the view that no purpose is going to be served by keeping the petitioner behind the bars for any longer period, so without commenting to the merits of the case the present petition is hereby accepted and the petitioner is ordered to be released on bail subject to his furnishing bail and surety bonds to the satisfaction of the CJM/Duty Magistrate concerned.

17.05.2022*P. Chawla***(KARAMJIT SINGH)
JUDGE**

Whether reasoned / speaking? Yes / No

Whether reportable? Yes / No