

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

CRM-M-11425 of 2021(O&M)

Date of Decision: 23.12.2022

Sunita & Ors.

...Petitioners

Versus

State of Punjab

...Respondent

CORAM :HON'BLE MR. JUSTICE KARAMJIT SINGH

**Present:- Mr. Kiran Kumar, Advocate
For the petitioners.**

Mr. M.S. Nagra, AAG Punjab.

KARAMJIT SINGH, J.

The present petition has been filed by the petitioners under Section 439 Cr.P.C. seeking regular bail in case having FIR No. 149 dated 22.12.2020, registered under Sections 307, 332, 353, 186, 342, 382, 506, 427, 148, 149 and 333 IPC at Police Station Satnampura, Phagwara.

The counsel for the petitioners, *inter alia*, contends that petitioners who are ladies have been falsely implicated in the instant case at the instance of complainant ASI Parwinder Singh and that petitioner No.1,2 and 4 are in custody for the last more than 02 years while petitioner No.3 Amarjot remained in custody till 18.07.2021 and thereafter she was released on interim bail on account of her pregnancy and she did not misuse the said concession. The counsel for the petitioners further submits that already three prosecution witnesses are examined during the trial but it will take time for the trial to conclude. So, prayer is made that petitioners be released on

regular bail.

The present petition is contested by the State counsel who on instructions from ASI Sukhjinder Singh submits that the petitioners and other male members of their family attacked the raiding police party headed by ASI Parwinder Singh and caused injuries to the members of the said police party. However, the State counsel has not disputed the fact that petitioner No.1,2, and 4 are incarcerated for the last more than 02 years while petitioner No.3 also remained in custody till 19.07.2021 and that during trial three witnesses have been examined.

I have considered the submissions made by counsel for the parties.

FIR in this case was registered on the basis of the statement of complainant ASI Parwinder Singh alleging that the present petitioners and male members of their family attacked him and other members of his police party when they raided the house of the petitioners. All the petitioners were arrested in the present case on 20.12.2020. After completion of investigation, the police has presented the challan and now the case is fixed for prosecution evidence and as per the status report furnished by the trial Court in all 03 witnesses out of total 27 witnesses are examined on behalf of the prosecution till date and today is the date fixed for examining the complainant who is a police official. So, there is no apprehension that if released on bail the petitioners are going to influence the complainant. It will take considerable time for the trial to conclude. Petitioners No.1,2 and 4 are behind the bars for the last more than 02 years and even petitioner No.3 remained in custody till 19.07.2021 when she was granted interim bail on account of her pregnancy and there is nothing to show that she ever misused the said concession of interim bail.

In view of the above, no purpose is going to be served by keeping petitioners No.1,2 and 4 in custody for any longer period or to vacate the order of interim bail granted in favour of petitioner No.3.

Thus, without commenting on the merits of the case, the present petition is allowed and the petitioners are ordered to be released on regular bail subject to their furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

23.12.2022
Jiten

(KARAMJIT SINGH)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No