

Nazira Begum

.....Petitioner

Vs.

State of Punjab

....Respondent

CORAM : HON'BLE MR.JUSTICE AMOL RATTAN SINGH

Present: Ms.Puja Chopra, Advocate for
Mr. Digvijay Nagpal, Advocate,
for the petitioner.

Mr. M.S.Nagra, AAG, Punjab.

AMOL RATTAN SINGH, J. (Oral)

On 06.10.2021, the following order had been passed by this court:-

“By this petition, filed under the provisions of Section 439 of the Cr.P.C, the petitioner seeks the concession of ‘regular bail’, upon FIR no.363, dated 25.12.2019, having been registered at Police Station Sadar Dhuri, District Sangrur, alleging therein the commission of offences punishable under Sections 420 and 120B of the IPC.

Pursuant to the order of this court dated July 28, 2021, an affidavit of the SSP, Sangrur, dated 23.07.2021, is on record, giving the facts of the case (as per the investigation carried out till that stage), and further submitting that despite best efforts made, the petitioners’ co-accused, i.e. Sukhdev Singh, could not be arrested and in fact proceedings to declare him to be a proclaimed offender (as per the learned State counsel) have been initiated.

The petitioner is stated to have been in custody since 04.03.2021, with the charge still not having been framed. Adjourned to 14.12.2021.”

Learned counsel for the petitioners submits that even thereafter, the aforesaid Sukhdev Singh has not been arrested and with the trial also not progressing at all in as much as no prosecution witness out of 14 has been

examined so far and with the petitioner having been in custody for about 11 months.

She further reiterates as recorded in the last order, that no money in fact was found to be transferred to the petitioner but only to Sukhdev Singh, even as per the affidavit of the SSP, Sangrur.

As regards the stage of the trial learned State counsel does not deny the same, as per his instructions.

Consequently, without making any comment on the actual merits of the case, the petition is allowed, with the petitioner ordered to be admitted to bail, upon him furnishing bail and surety bonds to the satisfaction of the trial court concerned.

February 21, 2022

dharamvir

(AMOL RATTAN SINGH)
JUDGE

Whether speaking/reasoned : YES
Whether Reportable : NO