

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH.

CRM-M-34071-2022(O&M)
Decided on: 19.09.2022

Kamaldeep Kaur

.. Petitioner

VERSUS

State of Punjab

.. Respondent

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

PRESENT Mr. Sumeet Puri, Advocate,
for the petitioner.

Mr. Kunal Vinayak, AAG, Punjab.

JASGURPREET SINGH PURI, J. (ORAL)

CRM-27542-2022

For the reasons mentioned in the application, the same is allowed
subject to all just exceptions.

CRM-M-34071-2022

The present petition has been filed under Section 439 of the
Code of Criminal Procedure for the grant of regular bail to the petitioner in
case FIR No.167 dated 25.03.2022 under Sections 458, 323, 294, 427, 506
and 34 of Indian Penal Code, registered at Police Station Zirakpur, District
Mohali.

It has been submitted by the learned counsel for the petitioner
that the petitioner is a lady of the age of 31 years and has been falsely
implicated in the present case only because of the reason that earlier she was
involved in three more cases. He further submitted that be that as it may, she
is in custody from 26.03.2022, which is almost six months and the

investigation of the case has already been completed by the police and,

thereafter, a report under Section 173 Cr.P.C. has been presented before the competent court and no recovery is to be effected from the petitioner. He submitted that in view of the aforesaid facts and circumstances, the petitioner may be considered for the grant of regular bail.

On the other hand, Mr. Kunal Vinayak, learned Assistant Advocate General, Punjab, has submitted that it is correct that the petitioner is in custody for about six months and the investigation of the case is already complete and no recovery is to be effected from the petitioner. He has however opposed the grant of regular bail to the petitioner only on the ground that the petitioner is involved in three more cases.

I have heard the learned counsel for the parties.

The petitioner is a lady of age of 31 years and the investigation of case is already complete. As per the learned counsel for the petitioner, no recovery is to be effected from the petitioner and trial of the case may take long time.

The arguments raised on behalf of learned counsel for the State that the petitioner is also involved in three more cases, cannot become a ground for denial of grant of regular bail to the petitioner, especially in view of the fact that it is not the case of the State counsel that in case the petitioner is released on bail, then he may influence any witness or may tamper with evidence or may flee from justice.

Therefore, without commenting on the merits of the case and considering the totality of circumstances, the present petition is allowed. The petitioner shall be released on regular bail subject to furnishing bail bonds/surety to the satisfaction of the learned trial Court/Duty Magistrate concerned.

All the miscellaneous applications, if any, shall be deemed to be disposed of since the main case has been disposed of.

However, anything observed hereinabove shall not be treated as an expression of opinion on merits of the case and is meant for the purpose of deciding the present petition only.

19.09.2022
Anjal*

(JASGURPREET SINGH PURI)
JUDGE

Whether speaking / reasoned	Yes / No
Whether reportable	Yes / No