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226 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-34484-2023
Date of Decision: 24.07.2023

Manjit Kaur

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present : Mr. S.K.Chaudhary, Advocate,
for the petitioner.

Mr. G.S.Sandhu, DAG, Punjab,
for the respondent-State.

RAJBIR SEHRAWAT, J. (ORAL)

1. The present petition has been filed by the petitioner under Section 439 of the Code of Criminal Procedure, 1973, for grant of bail pending trial in case FIR No.6 dated 21.01.2019 registered under Section 25 of the Pre-natal Diagnostic Techniques (Regulation and Prevention of Misuse) Act and Section 120-B of the Indian Penal Code, 1860, at Police Station Sujanpur, District Pathankot.

2. It is submitted by the learned counsel for the petitioner that the case against the petitioner is totally false and concocted. The petitioner is not involved in the crime as alleged against her. Otherwise also, in the present case itself, the petitioner was earlier granted bail pending trial in this case itself. However, after the challan was filed, because of change of address, she could not know the date fixed before the Trial Court. As a

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result, she could not appear before the Trial Court on the date fixed. Consequently, her bail was cancelled. Thereafter, the petitioner has been re-arrested on 10.03.2023 and since then she is in custody. There is no other case against the petitioner. The petitioner is not required for any investigation purposes.

3. On the other hand, learned counsel for the State, being instructed by ASI Ramesh Kumar, has submitted that the petitioner is directly involved in the crime. Moreover, she had absented from the process of law, therefore, she does not deserve to be granted bail pending trial. However, it is not disputed that earlier the petitioner was granted bail in this case itself and that after re-arrest, she is in custody since 10.03.2023. It is also not disputed that there is no other case against the petitioner.

4. In view the above, but without expressing any further opinion on the merits of the case, the present petition is allowed. The petitioner is ordered to be released on bail pending trial subject to her furnishing bail bonds/surety to the satisfaction of the Trial Court/Duty Magistrate, concerned.

(RAJBIR SEHRAWAT)
JUDGE

24.07.2023
adhikari

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No