

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

CRM No.M-1474 of 2015

Date of decision: 24.02.2015

Jasbir Kaur

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. P.S. Ahluwalia, Advocate for the petitioner.

Ms. Harsimrat Rai, DAG, Punjab
assisted by HC Balkar Singh.

Jitendra Chauhan, J. (Oral)

By filing the present petition under Section 439 of the Code of Criminal Procedure, the petitioner has sought regular bail in case FIR No.281, dated 25.11.2013, registered under Sections 306 r/w Section 34 of the Indian Penal Code (for short 'IPC'), at Police Station Kapurthala City, District Kapurthala.

The learned counsel refers to the communication dated 04.04.2014 (Annexure P-5) of the Medical Officer, Central Jail, Jalandhar and states that the petitioner is suffering from various ailments. The deceased left two years old girl child and there is no female to look after her. The petitioner is in custody since

26.11.2013.

On the other hand, the learned State counsel opposes the prayer and submits that a specific role has been attributed to the petitioner. Out of total seven witnesses, only one has been examined so far.

The only role attributed to the petitioner that she had been opposing the separation of the deceased and her son from the family, as per the challan. Keeping in view the communication (Annexure P-5) and the fact that the petitioner is in custody since 26.11.2013; out of 07 witnesses, only one has been examined so far, therefore, it can be safely inferred that the trial is not likely to be concluded in the near future, without expressing any opinion on the merits of the case, the petition is allowed. The petitioner is ordered to be released on regular bail, on her furnishing bail/surety bonds to the satisfaction of the trial Court.

24.02.2015

sumit.k

(JITENDRA CHAUHAN)
JUDGE