

Sr. No. 233

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM No. M-15445 of 2016 (O&M)
Date of Decision: 12.05.2016

Kamaljit Kaur @ Rani

...Petitioner

Versus

State of Punjab

... Respondent

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA

Present:- Mr. Navjeet Singh, Advocate,
for the petitioner.

Ms. Manpreet Dhaliwal, AAG, Punjab.

TEJINDER SINGH DHINDSA. J (ORAL)

Petitioner seeks benefit of regular bail pending trial in case FIR No.102 dated 16.09.2013, under Sections 307, 148, 149 of the Indian Penal Code, registered at Police Station Doraha, District Ludhiana.

FIR came to be registered on the statement of Mahinder Singh. Deceased is Surinder Pal Singh i.e. son of the complainant and husband of the present petitioner. Allegations are against the present petitioner as also other family members of the in-laws of the deceased of having set Surinder Pal Singh on fire by pouring kerosene oil on 15.09.2013.

It has gone uncontroverted that during the course of investigation, the other family members of the in-laws of the deceased were found innocent. Only the present petitioner was

nominated as an accused and the challan was presented under Section 306 IPC.

Subsequently, an application under Section 319 Cr.P.C. was filed on behalf of the prosecution and the other accused have also been summoned.

Trial Court has framed charges for offence punishable under Section 302 IPC and alternate charge for offence under Section 306 IPC has also been framed.

Petitioner has been in custody since 14.10.2013.

Learned State counsel upon instructions from ASI Sukhwinder Singh would apprise the Court that out of 18 prosecution witnesses cited, only 02 have been examined till date.

The trial as such would take time to conclude.

Without making any observations on merits and keeping in view the length of incarceration already suffered, petitioner is held entitled to the benefit of bail.

Petition is allowed. Petitioner be enlarged on bail subject to satisfaction of the Chief Judicial Magistrate/Duty Magistrate, Ludhiana.

Disposed of.

12.05.2016

vandana

**(TEJINDER SINGH DHINDSA)
JUDGE**