

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

CRM -M-3566 of 2017 (O&M)

Date of decision: 28.02.2017

Minakshi

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. Neeraj Kumar, Advocate for the petitioner.

Ms. Harsimrat Rai, DAG, Punjab.

Mr. Balraj Gujjar, Advocate for the complainant.

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 FIR No. 100 dated 23.10.2015, registered under Sections 302, 201 read with Section 34 of IPC, at Police Station Talwara, Hoshiarpur.

It is contended that the petitioner has been falsely implicated in the present FIR on the allegations that the petitioner had proximity with husband of deceased/co-accused, Dalbir Singh. He further states that as per post mortem report, no injuries were noticed on the person of deceased Sunidhi. The petitioner is in custody since 23.10.2015.

On the other hand, learned State counsel opposes the bail application.

The learned counsel for the complainant states that a DDR

was lodged against the petitioner and co-accused for giving beatings to the deceased one day prior to the present occurrence. The petitioner had been living with co-accused in a live in relationship and has a son out of their togetherness.

I have heard learned counsel for the parties and perused the record.

Considering the fact that no injuries were noticed on the person of deceased as per post mortem report; the petitioner is in custody since 25.10.2015; the young child of the petitioner is also with her in jail, without adverting on the issue of illegitimate relationship of petitioner and co-accused, this petition is allowed. The petitioner be admitted to bail during the pendency of trial, on her furnishing bail bonds and surety bonds to the satisfaction of CJM/Duty Magistrate/trial Court.

Anything said herein above shall not be construed as an expression of opinion on the merits of the case.

28.02.2017

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(JITENDRA CHAUHAN)
JUDGE

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