

Sr. No.205

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM No. M-45631 of 2016 (O&M)

Date of Decision:28.03.2017

Nisha

... Petitioner

Versus

State of Punjab

... Respondent

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

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

Mr. P.S.Grewal, DAG, Punjab.

TEJINDER SINGH DHINDSA, J.(ORAL)

Petitioner seeks benefit of regular bail pending trial in case FIR No.201 dated 13.10.2016, under Sections 302, 307, 212, 216, 148, 149 of IPC, registered at Police Station Sadar Amritsar, District Amritsar.

Counsel for the parties have been heard.

FIR came to be registered on the statement of Babbal Joseph. Deceased is Sagar i.e. son of the complainant. Allegations are on 12.10.2016 Sagar (since deceased) was assaulted by 05 persons, namely, Satya, David, Jatty, Raja @ Dilbagh and Amit Kumar @ Minta. Specific attribution is to Amit Kumar @ Minta who had fired from his pistol and which hit on the left side of Sagar and who succumbed to such firearm injury.

Counsel submits that the name of the present petitioner does not even figure in the FIR. However, during the course of investigation, petitioner has been implicated on the basis that she allegedly gave shelter to

four of the five accused and who were found to be visiting the house of the

petitioner.

It is also the contention raised by counsel that after completion of investigation, the challan has been presented but in the final investigation report, no credible evidence has come forth to show that the present petitioner had participated with the other co-accused in the murder of Sagar.

Petitioner has been in custody since 17.10.2016.

Challan having been presented, charges have been framed only on 24.03.2017. The trial as such is at the very initial stage.

In view of the discussion hereinabove and without making any observations on merits, 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, Amritsar.

Disposed of.

28.03.2017

vandana

(TEJINDER SINGH DHINDSA)
JUDGE

Whether speaking/reasoned

Yes

Whether Reportable

No