

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

Crl. Misc. M-27471 of 2018 (O&M)  
Date of Decision: July 11, 2018

Sita Devi

...Petitioner

Versus

State of Punjab

...Respondent

**CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR**

Present:- Mr. Anil Kumar Spehia, Advocate  
for the petitioner.

Mr. V.G. Jauhar, Senior DAG Punjab.

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**JAISHREE THAKUR, J. (Oral)**

The instant petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No.9 dated 10.02.2016, under Section 304-B of Indian Penal Code (offence under Sections 302 and 34 of IPC added subsequently) registered at Police Station Nurmahal, District Jalandhar.

Learned counsel for the petitioner contends that the petitioner herein was taken into custody in the aforesaid FIR on 10.02.2016. It is submitted that the petitioner, who is father-in-law of the deceased, has been falsely implicated in the present case. It is argued that a reading of the FIR would show that there are only general allegations that have been levelled against the petitioner. It is also contended that out of total 12 witnesses, 04 witnesses have been examined and conclusion of trial will take sufficient

time, therefore, the petitioner is entitled to be enlarged on bail.

Per contra, learned counsel appearing on behalf of respondent-State, on instructions from the Investigating Officer opposes the grant of regular bail to the petitioner, while submitting that the offences alleged against the petitioner are serious in nature. However, does not dispute the fact that out of total 12 witnesses, 04 witnesses have been examined.

I have heard learned counsel for the parties.

Since, the trial is likely to take some time and in view of the facts that the petitioner herein has been in custody since 10.02.2016, that out of total 12 witnesses, 04 witnesses have been examined and that husband of the deceased is in custody, no useful purpose would be served in keeping the petitioner behind bars. At this stage, without commenting on the merits of the case, the instant petition is allowed and the petitioner is directed to be released on regular bail on execution of adequate personal bond and surety bond to the satisfaction of concerned trial Court/Duty Magistrate.

**July 11, 2018**

*vijay saini*

**(JAISHREE THAKUR)**

**JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No