

IN THE HIGH COURT OF PUNJAB AND HARAYANA AT CHANDIGARH

207

CRM-M-3853-2018

Date of decision: 13.03.2018

Nisha Rani

...PETITIONER

VS.

State of Punjab

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

Present: Mr. T.S.Salana, Advocate,
for the petitioner.

Mr. Dhruv Dayal, Sr. Deputy Advocate General, Punjab,
for the State.

AUGUSTINE GEORGE MASIH, J. (ORAL)

Prayer in this petition is for grant of regular bail to the petitioner in case FIR No. 71 dated 18.07.2017 under Sections 302/120B IPC and Section 27 of the Arms Act, registered at Police Station Amloh, District Fatehgarh Sahib.

It is the contention of the learned counsel for the petitioner that the petitioner has not been named in the FIR and has only been named in the supplementary statement of the complainant-Ram Nath where also, the role, which has been attributed to her, is a *Lalkara*. He contends that the petitioner was arrested on 21.07.2017 and there are 20 witnesses cited, out of which, none has been examined till date. His contention is, thus, that the trial is not likely to conclude soon and the continuation of the petitioner in custody would not serve any purpose.

Counsel for the State, on instructions from ASI Jaspal Singh,

Police Station Amloh, District Fatehgarh Sahib, could not dispute the assertion of the counsel for the petitioner. He, however, states that the petitioner was a person who had instigated the other family members to commit the heinous crime where fire arms were used to kill Parmod Kumar son of the complainant.

Having considered the submissions made by the counsel for the parties and keeping in view the fact that the petitioner has not been named in the FIR and a *Lalkara* has been attributed and that too, in the supplementary statement of the complainant and out of 20 witnesses, none having been examined and the petitioner having been arrested on 21.07.2017 and the trial is not likely to conclude soon, the present petition is allowed. Petitioner is directed to be released on bail to the satisfaction of the trial Court, Fatehgarh Sahib.

March 13, 2018*pj***(AUGUSTINE GEORGE MASIH)
JUDGE**

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