

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

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**CRM-M No.54714 of 2018.
Date of Decision: 04.02.2019.**

Rajwinder Kaur

....Petitioner.

Versus

State of Punjab

....Respondent.

CORAM: HON'BLE MR. JUSTICE SHEKHER DHAWAN

Present: Mr. S.S. Rangi, Advocate, and
Mr. S.S. Dhaliwal, Advocate, for the petitioner.

Mr. Ajay Pal Singh Gill, Deputy Advocate General, Punjab.

Shekher Dhawan, J.

Present petition under Section 439 of the Criminal Procedure Code has been filed for grant of regular bail to the petitioner in case F.I.R. No.251 dated 25.12.2017 under Sections 302, 201, 177 and 34 of the Indian Penal Code (for short, 'IPC'), registered at Police Station Jamalpur, District Ludhiana.

Learned counsel representing the petitioner contended that the allegation against the petitioner, as per the F.I.R., relates to the year 2010 (05.12.2010) and the matter was reported to the police on 25.12.2017, though involving offence under Section 302 IPC and other sections, but strangely enough, there is not even a word for explaining this long delay of seven years. Learned counsel further contended that the petitioner has been languishing in the jail for a period of more than one year, as he is in custody since 26.12.2017.

Learned State counsel has fairly conceded this aspect that the occurrence relates to the year 2010 and F.I.R. was registered in 2017 without there being any explanation to the delay part of seven years.

Having considered all these aspects and without commenting anything on the merits of the case, at this stage, which may not cause prejudice to any of the party, and the fact that the petitioner is in custody since 26.12.2017, trial of the case still to take some more time and no useful purpose would be served by detaining the petitioner behind the bar any more, the present petition is allowed. Petitioner-Rajwinder Kaur is ordered to be admitted to regular bail on her furnishing adequate bail bond and surety bond to the satisfaction of concerned learned trial Judge/ Chief Judicial Magistrate/ Duty Magistrate.

(SHEKHER DHAWAN)
JUDGE

04.02.2019

jitender

Whether speaking/ reasoned : Yes/ No

Whether Reportable : Yes/ No