

205.

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

CRM-M-7107-2020 (O&M)

Date of decision: 06.11.2020

AMANVIR KAUR

... Petitioner

versus

STATE OF PUNJAB

.... Respondent

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr. Vikasdeep Singh, Advocate,
for the petitioner.

Mr. N.K. Banka, DAG, Punjab.

HARI PAL VERMA, J. (Oral)

The matter has been taken up for hearing through video conferencing due to outbreak of COVID-19.

Prayer in the present petition filed under Section 439 Cr.P.C. is for grant of regular bail to the petitioner, pending trial, in case FIR No.106 dated 17.10.2019 registered under Section 302 and 120-B of IPC at Police Station Sadar Phagwara, District Kapurthala.

Learned counsel for the petitioner submits that apart from the fact that no role has been attributed to the petitioner in the case, she is in custody since 18.10.2019. Challan in the case has been presented, whereas charges have been framed on 07.02.2020. He refers to the statement of the complainant-Ashutosh Sharma (PW-1), attached with CRM-20537-2020.

As per the statement, except the presence of the petitioner at the scene of

alleged occurrence and fled away from the scene of occurrence, there is no other allegation.

Learned State counsel does not dispute the statement so recorded by PW1-Ashutosh, the complainant. As against 32 witnesses cited by the prosecution, only one witness has been examined i.e. the complainant PW1.

I have heard learned counsel for the parties.

Petitioner is in custody since 18.10.2019. At the most, the allegation against the petitioner is that she was present at the scene of occurrence and the injury caused to the deceased, if any, is attributed to her husband. Moreover, as against 32 witnesses cited by the prosecution, only one witness witness has been examined. The petitioner being lady and is in custody for more than 1 year, this Court deems it appropriate to admit her on bail.

Accordingly, the present petition is allowed and the petitioner is admitted on regular bail subject to her furnishing bail bonds/surety bonds to the satisfaction of trial Court/Duty Magistrate.

The observations made hereinabove shall not be construed as an expression on the merits of the case and the trial court shall decide the case on the basis of available material.

(HARI PAL VERMA)
JUDGE

06.11.2020
sanjeev

Whether speaking/reasoned?	Yes/No
Whether reportable?	Yes/No