

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

CRM-M-8000-2020
Decided on :28.02.2020

Jasveer Kaur Mistrani

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Ms. Harpreet Kaur, Advocate
for the petitioner.

Ms. Bhavna Gupta, DAG, Punjab.

Manjari Nehru Kaul, J.

Instant petition has been filed under Section 439 Cr.PC for grant of regular bail to the petitioner in case FIR No.321 dated 27.10.2017 registered under Sections 363, 365 IPC (Sections 366 and 34 IPC are added later on) at Police Station A-Division Amritsar, District Amritsar.

Learned counsel for the petitioner contends that on perusal of the allegations levelled in the FIR in question, no case to attract the mischief of Sections 363, 365 and 366 IPC is made out as the victim herself left her house of her own accord. It has been further submitted that the victim was left in the house of the petitioner by co-accused Rajwinder Kaur. Thereafter, the victim had been staying in the house of the petitioner as she was maltreated by her family and the petitioner was providing her all the amenities of life. It has thus, been contended that the petitioner has been in custody since 17.04.2019 and the trial is unlikely to conclude in the near future.

Learned State counsel while opposing the bail application, has not been able to controvert the submissions made by learned counsel for the petitioner. She, on instructions from ASI Rajvinder submits that only 5 out of 24 prosecution witnesses including the victim and her father have been examined so far.

Keeping in view the fact that the petitioner has been behind bars since 17.04.2019 and the trial is unlikely to conclude in the near future, no useful purpose would be served in keeping the petitioner in custody. In the circumstances, present petition is allowed and the petitioner is admitted to bail to the satisfaction of the trial court/Duty Magistrate concerned. It is however, made clear that nothing observed herein above would be construed as an expression on the merits of the case.

(MANJARI NEHRU KAUL)
JUDGE

28.02.2020

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Whether speaking/reasoned:	Yes/No
Whether reportable :	Yes/No