

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

**CRM-M-9007 of 2020
Date of Decision: 27.05.2020**

Sukhpreet Kaur

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE LALIT BATRA

Present: Mr. B.S. Jatana, Advocate
for the petitioner.

Ms. Bhawna Gupta, DAG, Punjab.

Lalit Batra, J.(Oral)

Case has been taken up for hearing through Video Conferencing.

Present petition under Section 439 Cr.P.C is for grant of regular bail to petitioner-**Sukhpreet Kaur** in case F.I.R. No.87 dated 10.05.2019 under Section 302 IPC read with Section 34 IPC registered at Police Station Samana, District Patiala.

Reply by way of affidavit of Jaswant Singh, Deputy Superintendent of Police, Circle Samana, District Patiala, filed on behalf of respondent-State, is taken on record. Copy thereof has been supplied to learned counsel for the petitioner.

Learned counsel for the petitioner *inter alia* contends that petitioner has no nexus whatsoever with the alleged offence. He further submits that allegedly petitioner was having affair with Amarjit Singh

(since deceased) and on account of that co-accused namely Harpreet Singh alias Haria and Jaspreet Singh alias Jassa, brothers of petitioner were annoyed with Amarjit Singh (since deceased). He further submits that no overt act is attributed to petitioner in the commission of alleged offence. He further urges that petitioner is in custody since 11.05.2019 and she is no more required by the Police for any investigation purpose. He further submits that after completion of investigation, challan has been presented in the Court and trial has commenced. He further urges that since trial of the case would take sufficient time to conclude, no useful purpose would be served by keeping the petitioner in custody further and she may be released on bail.

On the other hand, learned State counsel while opposing instant petition has vehemently argued that keeping in view seriousness of offence, petitioner does not deserve the concession of bail.

I have heard learned counsel for the parties.

At this stage, without commenting anything on the merits of the case lest it may prejudice the outcome of the trial but taking into consideration the fact that petitioner is in custody since 11.05.2019; that petitioner is no more required by the Investigating Agency for investigation purpose; that challan has already been presented in Court and trial has commenced and since trial of the case would take sufficient time to conclude, no useful purpose would be served by detaining the petitioner in custody further, thus, she deserves the concession of bail.

In view of above, instant petition for grant of regular bail moved by petitioner-**Sukhpreet Kaur** is allowed and she is ordered to be released on bail on her furnishing personal/surety bonds to the satisfaction of Trial Court/Chief Judicial Magistrate/Duty Magistrate, Patiala, as the case may be. However, petitioner has been given liberty to defer the furnishing of surety bond due to COVID-19 and she is directed to furnish the surety bond to the satisfaction of Trial Court/Chief Judicial Magistrate/Duty Magistrate, Patiala, as the case may be, on culmination of nationwide lockdown due to COVID-19.

(LALIT BATRA)
JUDGE

27.05.2020

D.Bansal

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