

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

104

CRM-M-12055-2020

DATE OF DECISION: MAY 29, 2020

Jaspreet Kaur @ Jassi

.....Petitioner

VERSUS

State of Punjab

....Respondent

CORAM:- HON'BLE MR.JUSTICE AUGUSTINE GEORGE MASIH

1. Whether Reporters of local papers may be allowed to see the judgement?
2. To be referred to the Reporters or not?
3. Whether the judgment should be reported in the Digest?

Present: Mr. Vinay Kumar Gupta, Advocate,
for the petitioner.

Mr. Suvir Sheokand, Additional Advocate General, Punjab,
for the State.

AUGUSTINE GEORGE MASIH, J. (ORAL)

Prayer in the present petition is for grant of regular bail to petitioner, Jaspreet Kaur @ Jassi.

It is the contention of learned counsel for the petitioner that the petitioner is a *Chachi* of husband of deceased Mandeep Kaur and is residing separately. He further contends that the petitioner was arrested on 09.08.2019 and is in custody since then and more than 10 months have expired since her arrest. Although charges have been framed but no witness has been examined till date. It is also asserted that she has a five years old daughter with no female member in the house who can take care of her. He, therefore, prays that concession of bail be granted to her.

On the other hand, learned counsel for the State submits that there are specific allegations against the petitioner in the FIR, which has been recorded. An active role has been attributed to the petitioner. The FIR is clear and specific with regard to the demand of dowry and to the effect that there was a phone call received from deceased Mandeep Kaur prior to the incident as also about harassment at the hands of family members, including the petitioner. It is also asserted that at the time when the family members of the deceased, including the complainant, reached the matrimonial house of their daughter, none was present there. He, therefore, contends that the prayer as made in the petition be not granted.

I have considered the submissions made by counsel for the parties and with their assistance have gone through the paper book.

It is true that there are allegations against the petitioner but the fact remains that the petitioner is aunt of husband of deceased Mandeep Kaur. She is residing separately, may be in the same vicinity as asserted by counsel for the State and not disputed by him. However, keeping in view the fact that the petitioner is having a five year old daughter, with no female in the house to take care of her; the petitioner being in custody for more than 10 months now; no witness having been examined till date; trial is not likely to conclude in near future and above all, the petitioner being a lady and also there being a pandemic prevalent in the Country, with efforts to decongesting the jail, the present application is allowed in the abovesaid peculiar facts and circumstances.

The present petition is, therefore, allowed. The petitioner is directed to be released on bail to the satisfaction of the Trial Court/Chief Judicial Magistrate/Duty Magistrate, Faridkot.

Any observation made herein above shall have no bearing on the merits of the case during trial in any manner and if any, the same is for the purpose of disposal of the present petition alone.

May 29, 2020
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(AUGUSTINE GEORGE MASIH)
JUDGE

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