

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

**CRM-M-13857-2020
Decided on : 27.07.2020**

Gurmeet Kaur and another

... Petitioner(s)

Versus

State of Punjab

... Respondent(s)

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

PRESENT: Ms. Harpreet Kaur, Advocate
for the petitioner(s).

Ms. Sakshi Bakshi, Asstt. AG, Punjab
assisted by SI Bhupinder Singh.

MANJARI NEHRU KAUL, J.

Due to the outbreak of pandemic COVID-19, the instant case is being taken up for hearing through video conferencing.

This is the second petition filed under Section 439 Cr.P.C. for grant of regular bail in case FIR No. 141, dated 28.08.2019, under Sections 302, 201, 34, registered at Police Station Sadar Faridkot, District Faridkot.

Learned counsel for the petitioners *inter alia* contends that the petitioners are in custody since 30th August, 2019, and till now, only 01 out of the 20 prosecution witnesses cited, have been examined. He further contends that the case rests on circumstantial evidence and it was only on the basis of evidence of last seen by Kanwaljeet Singh, brother of the deceased, the petitioners were nominated as an accused and falsely implicated in the FIR in question. It has been further argued that the brother of the deceased Kanwaljeet Singh allegedly saw his deceased brother in the company of the petitioners on the intervening night of 24th - 25th August, 2019, however, it was only five days thereafter the FIR in question was

registered against the petitioners and the motive spelt out for them to

commit the murder of the deceased, which was stated to be some dispute which had taken place a few days prior to the murder in question.

On the other hand, learned State counsel on instructions from SI Bhupinder Singh, has apprised this Court that only 01 out of the 20 prosecution witnesses cited so far, has been examined till date. However, she has not been able to controvert the factum of the FIR being registered after a delay of five days.

Heard.

In view of the submissions made by learned counsel for the parties and keeping in view the fact that the petitioner is in custody since 30th August, 2019, no useful purpose would be served in keeping the petitioner behind bars, as the trial is unlikely to conclude in the near future, more so in the prevailing conditions due to the outbreak of pandemic COVID-19. Accordingly, I deem it a fit case for grant of the concession of regular bail. The petition as such is allowed and the petitioner is admitted to bail to the satisfaction of trial Court/Duty Magistrate. However, anything observed hereinabove would not be construed to be an expression of opinion on the merits of the case.

(MANJARI NEHRU KAUL)
JUDGE

July 27, 2020

J.Ram

Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No