

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

**CRM-M-14593-2020
Decided on : 25.06.2020**

Mandeep Kaur

... Petitioner(s)

Versus

State of Punjab

... Respondent(s)

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

PRESENT: Mr. Sandeep Verma, Advocate
for the petitioner(s).

Mr. Lavinder Sofat, AAG, Punjab

MANJARI NEHRU KAUL, J.

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

The instant petition has been filed under Section 439 Cr.P.C. for grant of regular bail in case FIR No. 37, dated 16.04.2016, under Sections 302, 120-B IPC, registered at Police Station Makhu, District Ferozepur.

Learned counsel for the petitioner *inter alia* contends that the petitioner was arrested in the instant case on 16.04.2016 and ever since then has been in custody. He further contends that the petitioner has been falsely implicated in the instant case, which rests on circumstantial evidence. Her false implication is evident from the fact that there was an inordinate delay of 14 days in lodging of the FIR.

Learned counsel for the petitioner further contends that the trial is unlikely to conclude in the near future, as the evidence of the prosecution was closed by the order of the learned trial Court, which was subsequently challenged by both the complainant as well as the State of Punjab before

this Court vide CRM-M-13520-2018 and CRR-2961-2018, respectively. Learned counsel submits that this Court had stayed the passing of the final order in CRM-M-13520-2018. Therefore, no useful purpose would be served by keeping the petitioner behind bars.

Learned State counsel on the other hand while opposing the prayer for grant of regular bail to the petitioner, has submitted that there are serious allegations levelled in the FIR against the petitioner. He has, however, not been able to controvert the fact that the petitioner has been behind bars for almost 04 years and 02 months.

Heard.

In view of the submissions made by learned counsel for the parties and keeping in view the fact that the petitioner has been behind bars since 17th April, 2016, 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. Therefore, 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, it is made clear that anything observed hereinabove shall not be construed as an expression of opinion on the merits of the case.

(MANJARI NEHRU KAUL)
JUDGE

June 25, 2020

J.Ram

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