

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

204**CRM-M-15571-2020****Date of decision: 01.10.2020****Paramjit Kaur @ Preeti @ Pamma****....Petitioner****versus****State of Punjab****....Respondent****CORAM: Hon'ble Mr. Justice Girish Agnihotri**

Present: Mr. Prashant Bansal, Advocate, for the petitioner.

Mr. H.S. Sitta, Asstt. A.G., Punjab.

(the aforesaid presence is being recorded through video

conferencing since the proceedings are being conducted in Virtual Court).

GIRISH AGNIHOTRI, J. (Oral)

Petitioner-Paramjit Kaur @ Preeti @ Pamma, stated to be aged 26 years, has filed the present petition under Section 439 Cr. P.C. *inter alia* praying for grant of regular bail in case FIR No.14 dated 22.03.2018, under Section 307 IPC (later on Section 307 IPC was converted into Section 302 IPC), registered at Police Station Sanaur, District Patiala.

Learned counsel for the petitioner by making reference to allegations in the FIR, submits that the complainant himself had lodged the FIR by alleging that he had been living alone in the house. It is stated in the FIR by the complainant that he was preparing his own food and the petitioner allegedly came to his house and set him ablaze. It is further submitted that complainant-Gurpreet Singh and the husband of the petitioner-Charanjit Singh @ Nita, were cousin brother. Learned counsel,

however, submits that in fact, the FIR has been lodged under some misunderstanding and there was no occasion for the petitioner to have allegedly commit such crime.

Learned State counsel, on instructions from ASI Jasmail Singh, submits that the petitioner was arrested on 21.10.2019. He further submits that the investigation is complete and the challan has been presented. Charges in this case were framed on 06.02.2020. There are total of 16 witnesses but none has been examined till date. Learned State counsel also submits that during the investigation it had come on record that the petitioner allegedly had illicit relations with the complainant.

Faced with the situation, learned counsel for the petitioner submits that in fact, on 13.11.2018, a boy child was born to the petitioner. He further submits that the mother-in-law of the petitioner has expired and there is no other lady in the family to take care of her minor child as his father and brother have also expired. Learned counsel then submits that the petitioner is at presently in jail along with the minor child. Learned counsel, however, submits that he has instructions from the petitioner and her family members that in order to show their *bona fide* that the petitioner would not abandon the child, within two months from the date of her release, the petitioner would get an FDR for Rs.3 lacs and which would remain in the name of the child and shall only be utilized for the benefit of the minor.

In view of the peculiar facts as noticed above, considering the existing situation due to COVID-19 and the fact that trial is likely to take some time, this Court deems it appropriate to direct the release of the

petitioner on regular bail to the satisfaction of Chief Judicial Magistrate/Duty Magistrate concerned, subject to her furnishing bail bonds/surety bonds. However, it is made clear that anything observed herein shall not be construed as an expression on merits of the case.

In addition to the bail/surety bonds, in pursuance to the offer made by counsel for the petitioner, the petitioner would deposit Rs.3 lacs in the shape of FDR (made in the name of minor child) with the Trial Court/Duty Magistrate concerned. The petitioner would also give an undertaking that she would not encash the said FDR till further orders of the Court and the same would remain in the name of the child and shall only be utilized only for the benefit of the minor. This undertaking be also sent to the concerned Bank. The said amount shall be without prejudice to defence of the petitioner before the trial Court.

The petition stands disposed of accordingly.

(GIRISH AGNIHOTRI)
JUDGE

01.10.2020

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