

Sr. No.210

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

CRM-M-16275 of 2020 (O&M)

Date of Decision: 09.07.2020

Kawaljit Kaur @ Mani

...Petitioner

Versus

State of Punjab

... Respondent

CORAM:- HON'BLE MR. JUSTICE ARUN MONGA

Present:- Mr.Vaibhav Narang, Advocate,
for the petitioner.

Mr. Ramdeep Partap, DAG Punjab.

(Presence marked through video conference)

ARUN MONGA, J. (ORAL)

1. The petitioner is seeking regular bail in FIR No. 226 dated 13.11.2018, registered under Sections 302, 148 read with Section 149 IPC, Police Station Lopoke, District Amritsar Rural.

2. As per allegations in the FIR, which was registered by the mother of deceased Dharambir Singh, she apprised the police about the murder of her son by Jagir Singh, Hartej Singh and the petitioner, with whom the deceased was having illicit relationship. The petitioner was arrested on 13.11.2018 and since then she is in custody.

3. Learned counsel for the petitioner submits that the petitioner has not been attributed any injury to the deceased and as per allegations she had called the deceased to her house, where other accused committed his murder. He further submits that the complainant while appearing in the witness-box as PW1 has not supported the case of the prosecution and she has been turned

hostile and other material witnesses have not disclosed the name of petitioner. He refers to statement Annexure P-2 of the complainant recorded before the Court. He further submits that petitioner is a lady and is confined in jail since 13.11.2018. There are bleak chances of her conviction and trial would take long time to conclude in the presence scenario of Covid-19 pandemic.

4. On the other hand, learned State counsel does not controvert the submission of learned counsel for the petitioner that the complainant of the case has not supported the case of the prosecution during trial. He, however, submits that trial is still going on.

5. Be that as it may, it is not in dispute that the complainant has shown hostility qua the prosecution version of the case. The petitioner is in custody since 13.11.2018. The trial is not likely to conclude anytime soon as the Courts are working with restrictions due to Covid-19 and taking up only urgent matters. Without expressing any opinion on the merits of the case, petition is allowed. The petitioner shall be released on regular bail on his furnishing bail bonds and surety bonds to the satisfaction of Trial Court / Duty Magistrate, Amritsar, as the case may be. The petitioner will not try to influence/ contact the witnesses of the case.

09.07.2020
Jiten

(ARUN MONGA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No