

CRM-M-19732-2020

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

**CRM-M-19732-2020
Date of Decision: 07.08.2020**

Rinky

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Rahul Jaswal, Advocate,
for the petitioner.

Mr. H.S.Sitta, AAG, Punjab.

HARNARESH SINGH GILL, J.(Oral)

Case is taken up for hearing through video conferencing.

Custody certificate by way of affidavit of the Deputy Superintendent, Central Jail, Bathinda, has been filed through e-mail. Print out of the same is taken on record.

Through this petition, the petitioner seeks regular bail in case bearing FIR No.120 dated 20.05.2018, registered at Police Station Sadar Khanna, District Ludhiana, under Sections 302, 201 and 34 IPC.

Learned counsel for the petitioner contends that the entire case of the prosecution is based upon circumstantial evidence and the first informant while appearing in evidence before the Court has stated that he has never seen the accused earlier or after the occurrence. The relevant part of the statement is extracted as under:-

"I met the police once, with regard to the present case. I

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have never seen accused Pawan Kumar and Suraj Kumar earlier or after the occurrence. I have not seen Rinki while committing the murder of Sandeep Kumar @ Topi. ”

Learned counsel for the petitioner further contends that co-accused, Suraj @ Deepu and Pawan Kumar @ Rudar have already been released on bail by a Coordinate Bench vide orders dated 22.05.2019 and 25.07.2019 passed in CRM-M-22666-2019 and CRM-M-30237-2019.

On the other hand, learned State counsel opposes the prayer made in the present petition. However, he admits that out of 22 prosecution witnesses, only 01 witness has been examined so far.

I have heard the learned counsel for the parties.

The petitioner has been in custody since 23.05.2018. Trial of the case would take time to conclude. Moreover, co-accused Suraj @ Deepu and Pawan Kumar @ Rudar have already been released on bail. Therefore, no useful purpose would be served by keeping the petitioner behind the bars.

In view of the above, without commenting anything on the merits, lest it should prejudice the case of either side, the present petition is allowed and the petitioner is ordered to be released on bail on her furnishing bail and surety bonds to the satisfaction of the learned trial Court/Duty Magistrate.

07.08.2020

parveen kumar

**(HARNARESH SINGH GILL)
JUDGE**

Note: Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No