

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

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IN VIRTUAL COURT

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CRM-M No. 20293 of 2020 (O & M)
Date of decision : 14.10.2020

Manjit Kaur

.....Petitioner

Vs.

State of Punjab

.....Respondent

Coram: HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present : Mr. Ferry Sofat, Advocate, for the petitioner

Rajbir Sehrawat, J. (Oral)

CRM No. 25610 of 2020 :

This is an application seeking permission to place on record the FIR as Annexure P-3.

For the reasons mentioned in the application, the same is allowed.

Document Annexure P-3 is taken on record.

CRM-M No. 20293 of 2020 :

Present petition has been filed under Section 439 of the Cr.P.C. for seeking bail pending trial in the FIR No. 79 dated 7.8.2017, registered under Sections 406, 420, 465, 467, 468, 471, 506 and 120B IPC and Sections 25 and 27 of Arms Act, at Police Station Behram, District SBS Nagar.

Perusal of the previous orders passed by this Court in **CRM-M No. 1047 of 2018**, shows that the trial of the case is going on in the trial Court since August 2017. Vide order dated 10.5.2018, this Court had directed the trial Court to make endeavour to record evidence of the complainant. However, the evidence of the complainant has not been recorded so far. Still further, the

previous order reflects that the complainant is based outside India. He has not returned to India to depose before the Court so as to complete the trial. The petitioner is stated to be in custody since 17.2.2020.

Notice of motion.

Mr. APS Gill, DAG, Punjab, accepts notice on behalf of the State.

Learned State counsel, being instructed by ASI Balvir Ram, submits that it cannot be said for sure as to when the complainant would be returning to India to be examined in the Court.

In view of the above; while making a balance between the right of the petitioner and privilege of the State, it is appropriate to release the petitioner on bail.

In view the above, but without commenting any further on the merits of the case, the present petition is allowed. The petitioner is ordered to be released on bail pending trial subject to his furnishing bail bonds/surety to the satisfaction of the Trial Court/Duty Magistrate, concerned.

(RAJBIR SEHRAWAT)
JUDGE

14.10.2020

Ashwani

Speaking/Reasoned	:	Yes/No
Reportable	:	Yes/No