

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

211

CRM-M-20232-2020 (O&M)

DATE OF DECISION: 14.10.2020

PARKASH KAUR

... Petitioner (s)

Versus

STATE OF PUNJAB

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. Lokesh Vohra, Advocate for the petitioner.

Mr.Dhruv Dayal, Senior DAG, Punjab.

ANUPINDER SINGH GREWAL, J. (ORAL)

The petitioner is seeking regular bail in FIR No.09 dated 23.02.2020, under Sections 328, 120-B IPC and Section 307 IPC added subsequently, registered at Police Station Amir Khas, Fazilka.

Learned counsel for the petitioner contends that it is alleged in the FIR by the complainant, who is the nephew of the petitioner that she had administered him poison. He, however, contends that FSL report did not indicate the presence of any poisonous substance in the sample of the food. The petitioner is 64 years old lady and is in custody for over 7 months since her arrest on 23.02.2020.

Learned State counsel, upon instructions from HC Gurcharan Singh, contends that challan has been presented but none of the prosecution witnesses has been examined. Reply filed through email by the learned State counsel is taken on record. In the affidavit filed by the DSP, Sub Division Jalalabad, it is mentioned that no poisonous substance had been deducted in the material as per the report of the chemical examiner.

Heard through video conferencing.

In view of the submissions of the learned counsel for the petitioner, especially when the petitioner is 64 years old lady, she is in custody for over 7 months, the COVID-19 pandemic and the conclusion of the trial is likely to take some time, I deem it a fit case to grant the concession of regular bail to the petitioner.

Therefore, without expressing any opinion on the merits of the case, the instant petition is allowed. The petitioner is ordered to be released on regular bail on her furnishing requisite bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

(ANUPINDER SINGH GREWAL)
JUDGE

14.10.2020.

SwarnjitS

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