

**205 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH
(through video conferencing)**

CRM-M-21460-2020
Decided on : 13.08.2020

Rani Kaur @ Rani

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

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

Mr. Luvinder Sofat, AAG, Punjab.

Manjari Nehru Kaul, J.

Instant petition has been filed under Section 439 Cr.PC for grant of regular bail to the petitioner in case FIR No.226 dated 13.11.2018 registered under Sections 302, 148, 149 IPC,1860 at Police Station Lopoke District Amritsar Rural.

Learned counsel for the petitioner inter alia contends that the petitioner has been falsely implicated in the FIR in question. The factum of her false implication substantiated from the fact that all the material witnesses including the complainant did not support the case of the prosecution and were declared hostile. He further contends that no injury was attributed to the petitioner, who was alleged to be armed with a daang at the time of the occurrence in question. It has also been contended that similarly situated co-accused have since been granted the concession of bail by this Court vide order dated 09.07.2020. Hence, the concession of bail may be extended to the petitioner as well since she has been in custody since 13.11.2018.

Per contra, learned State counsel while opposing the prayer of

learned counsel for the petitioner has not been able to controvert the factual aspect of the submissions made by learned counsel for the petitioner. He on instructions from ASI Kulvir Singh has conceded that no injury is attributed to the petitioner in the occurrence in question and till date only three prosecution witnesses have been examined.

Heard.

In view of the submissions made by learned counsel and the fact that the petitioner has been in custody since 13.11.2018, the trial is unlikely to conclude in the near future more so in the wake of outbreak of pandemic Covid-19. Hence, the present petition is allowed and the petitioner is admitted to bail to the satisfaction of the trial Court/Duty Magistrate. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

(MANJARI NEHRU KAUL)
JUDGE

13.08.2020

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Whether speaking/reasoned:
Whether reportable :

Yes/No
Yes/No