

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

CRM-M-25999-2020 (O&M)

Date of decision: 08.09.2020

Kanta Devi and another

...Petitioners

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present:- Mr. Aminder Singh, Advocate for the petitioners.

Ms. Samina Dhir, DAG, Punjab
assisted by ASI Manjit Singh.

MANJARI NEHRU KAUL, J. (ORAL)

Instant petition has been filed under Section 439 Cr.PC for grant of regular bail to the petitioners in case FIR No.115 dated 07.10.2018 registered under Sections 302, 201 and 120-B of IPC at Police Station Khanauri, District Sangrur.

Learned counsel for the petitioner contends that the petitioners who are ladies have been in custody since 07.10.2018 and till date only 3 prosecution witnesses including the complainant out of total 19 prosecution witnesses cited so far have been examined. He has argued that it is a case of blind murder and the names of the petitioners were nominated on the basis of a supplementary statement made by the complainant under Section 161 Cr.P.C. Even in the said statement, no specific role, much less, any attribution has been made qua the petitioners except for vague allegations that “both the petitioners were involved in the murder of the deceased”.

Learned State counsel while opposing the submissions made

by learned counsel for the petitioner, has admitted that no overt role has been attributed to the present petitioners in the FIR in question or even in the supplementary statement made by the complainant under Section 161 Cr.P.C.

Heard.

In view of the submissions made by learned counsel and the fact that the petitioners have been in custody since 07.10.2018, 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 petitioners are 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

08.09.2020

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Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No