

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

CRM-M-34646 of 2020.

Decided on:- November 04, 2020.

Soma Rani.

.....Petitioner.

Versus

State of Punjab.

.....Respondent.

**CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA.**

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Present:- Mr. Parminder Singh Sekhon, Advocate  
for the petitioner.

Mr. N.K. Banka, D.A.G., Punjab.

**HARI PAL VERMA, J. (Oral)**

The matter has been taken up for hearing through video conferencing due to outbreak of COVID-19.

The petitioner has filed the present petition under Section 439 Cr.P.C. seeking regular bail in FIR No.121 dated 02.09.2020 under Sections 223, 224 and 225 IPC (Sections 353, 186, 467, 468, 471, 419 and 420 read with Section 34 IPC added later on) registered at Police Station City Jagraon, District Ludhiana (Rural).

The allegation against the petitioner is that she succeeded in escaping her husband Manjit Singh @ Kirpal Singh from police lock-up of Police Station City Jagraon due to negligence of police staff. Accused Manjit Singh @ Kirpal Singh was arrested in FIR No.116 dated 30.08.2020 under Section 15 of the NDPS Act registered at Police Station City Jagraon.

Learned counsel for the petitioner has argued that the petitioner is in custody since 20.09.2020. There is no other case against her. On the date of alleged incident, the petitioner visited the police station to meet her husband, but she had no knowledge of the plan of her husband. Even otherwise, it is practically impossible that husband of the petitioner would fled away from the police custody and that too while in the police station. It is in order to save the police officials, the petitioner has been falsely implicated in the present case. She was married with accused Manjit Singh @ Kirpal Singh about 1½ years ago and is having one minor daughter from this marriage, who is about 3 months old and is living with her in custody.

Learned State counsel does not dispute the custody of the petitioner, however, he submits that the petitioner facilitated the escape of accused Manjit Singh @ Kirpal Singh from the police custody in well planned manner.

I have heard learned counsel for the parties.

Considering the fact that the petitioner is in custody since 20.09.2020 and she has a daughter about 3 months old, who is living with her in custody coupled with the fact that the trial in the case is not likely to be concluded in near future and COVID-19 pandemic has supplemented the delay in trial, this Court finds that the petitioner deserves to be admitted on bail.

Accordingly, the present petition is allowed and the petitioner is ordered to be released on bail on her furnishing adequate bail and surety bonds to the satisfaction of learned trial Court/Duty Magistrate.

The observations made hereinabove shall not be construed as an expression of opinion on the merits of the case and the trial Court shall decide the case without being influenced with these observations in any manner.

November 04, 2020  
Yag Dutt

(HARI PAL VERMA)  
JUDGE

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|----------------------------|-----|
| Whether speaking/reasoned: | Yes |
| Whether Reportable:        | No  |