

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

CRM-M-35664-2020

Date of decision : 26.11.2020

SANCHITA NANDA

.....Petitioner

Vs.

STATE OF PUNJAB

.....Respondent

CORAM: HON'BLE MRS. JUSTICE ALKA SARIN

Present: Mr. Tapas Sharma, Advocate for the petitioner.

Mr. Ramandeep Sandhu, Senior DAG, Punjab.

ALKA SARIN, J. (ORAL)

Heard through Video Conferencing.

This is a petition under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the petitioner in FIR No.49 dated 24.03.2019 under Sections 306 of the Indian Penal Code, 1860 registered at Police Station Model Town, Ludhiana.

Learned counsel for the petitioner contends that the allegations in the FIR are that the petitioner had not returned the money of the deceased due to which he committed suicide. He further contends that the allegations prima facie do not constitute an offence under Section 306 IPC and she is in custody since 20.09.2020. He further contends that some of the co-accused have been granted anticipatory bail vide order dated 19.07.2019 in CRM-M-19271-2019 'Satnam Singh Vs. State of Punjab', vide order dated 03.07.2019 in CRM-M-18067-2019 'Arwinder Pal Singh @ Rimpay Vs. State of Punjab' and vide order dated 03.07.2019 in CRM-M-20304-2019 'Ashwinder Kaur @ Ashu Vs. State of Punjab' and one co-accused has been

granted regular bail vide order dated 10.09.2019 passed in CRM-M-32086-2019 'Jarnail Singh @ Jocky Vs. State of Punjab'.

Learned State counsel, on instructions from ASI Harphool Singh, states that challan has been presented and the petitioner is in custody since 20.09.2020.

Without commenting on the merits of the case and keeping in view the fact that the petitioner has been in custody for 2 months and 02 days and the fact that the co-accused have been granted concession of anticipatory and regular bail by this Court as also the fact that the trial is unlikely to conclude in the near future in view of the current scenario in the wake of the outbreak of the COVID-19 pandemic, I deem this to be a fit case to direct the release of the petitioner on regular bail subject on her furnishing bail bonds/surety bonds to the satisfaction of the Chief Judicial Magistrate/Trial Court/Duty Magistrate concerned.

It is, however, made clear that any observation made herein shall not be treated as an expression of opinion on the merits of the case. However, the Prosecution shall always be at liberty to get the bail cancelled in case the petitioner is found to be misusing the concession of bail in any manner.

Disposed off, accordingly.

November 26, 2020
kv

(ALKA SARIN)
JUDGE

Whether speaking/non-speaking: Yes/No
Whether reportable: Yes/No