

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

CRM-M-36854-2020 (O&M)

Date of Decision: 17.11.2020

Sandeep Kaur

... Petitioner

Versus

State of Punjab

... Respondent

CORAM:- HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. Mohit Garg, Advocate for the petitioner.

Mr. H.S. Grewal, Additional Advocate General, Punjab.

....

TEJINDER SINGH DHINDSA, J. (ORAL).

Matter has been taken up through Video Conferencing via Webex facility in the light of the Pandemic Covid-19 situation and as per instructions.

Petitioner seeks regular bail pending trial in case FIR No.326, dated 25.06.2020, under Sections 297/454/353/186/342/270/120-B/188 IPC, Section 4 of the Prevention of Damage to Public Property Act, 1984 and Section 51 of the Disaster Management Act, 2005, registered at Police Station City Barnala.

Counsel for the parties have been heard.

Allegations leading to registration of the FIR are that a group of persons locked certain staff of medical and para-medical team inside a room and thereafter removed the body of one Balwinder Singh from the mortuary.

Petitioner was arrested on 24.08.2020.

Prayer for bail is vehemently opposed by learned State counsel by submitting that the deceased whose body was removed was the first cousin of the petitioner and under the current Covid-19 Pandemic, for any

person to behave in such an irresponsible manner, does not deserve the concession of bail.

Be that as it may, the petitioner is a young lady, aged 27 years. She is married and is mother of a son, aged 2 years.

She has already suffered incarceration for a period of 2½ months.

Investigation in the case is complete and the challan already stands presented.

It is not the case made on behalf of the State that if concession of bail is granted to the petitioner, she would be in a position to hamper the course of a free and fair trial.

Co-accused, Binder Singh has been granted benefit of bail in the light of order dated 14.07.2020 passed by the learned Additional Sessions Judge, Barnala (Annexure P-3).

Without making any observations on merits, petitioner is held entitled to the benefit of bail.

Petition is allowed. Petitioner be enlarged on bail subject to his furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

Disposed of.

17.11.2020

harjeet

**(TEJINDER SINGH DHINDSA)
JUDGE**

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|-----|----------------------------|--------|
| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |