

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

CRM-M No.39541 of 2019 (O&M)

Date of Decision:07.02.2020

Jyoti

... Petitioner

Versus

State of Punjab

... Respondent

CORAM:- HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present:- Ms. Monika Thakur, Advocate,
for the petitioner.

Mr. Ajay Pal Singh, DAG, Punjab
for the State.

JASGURPREET SINGH PURI, J. (ORAL)

The present petition has been filed under Section 439 of the Code of Criminal Procedure for the grant of regular bail in FIR No.15 dated 29.05.2018 under Sections 302, 120-B IPC, registered at Police Station, Tibba, Ludhiana.

Learned counsel for the petitioner has, inter alia, submitted that in the present case, the petitioner was not named in the FIR. She has further submitted that the deceased was the mother -in-law of the petitioner and the allegations against the petitioner are that she had caused the death of deceased-Surjit Kaur, which is an afterthought and a concocted story. Learned counsel for the petitioner has also submitted that the complainant, namely, Manjit Singh, who is the husband of the petitioner, has turned hostile. She has further submitted that nothing has been found in the investigation against the petitioner. The petitioner is in custody since

29.05.2018.

Per contra, learned State counsel, on instructions from ASI Vinod Kumar, has submitted that in the investigation, it was found that at the instance of the petitioner, murder was committed. He has further submitted that although, the husband of the petitioner has turned hostile, it is not a fit case for grant of bail to the petitioner.

I have heard learned counsel for the parties and perused the record.

In the present case, admittedly the petitioner was not named in the FIR and thereafter, on the basis of prosecution story, she was allegedly connected with the death of deceased-Surjit Kaur. As per learned State counsel, charges in the present case were framed on 25.10.2018 and till date only 09 witness have been examined and one has turned hostile, who is the complainant himself. Considering the fact that the trial may take some time and also considering the long custody of the petitioner, I deem it fit to admit the petitioner to regular bail.

Consequently, the present petition is allowed. It is ordered that the petitioner shall be released on bail on her furnishing bail bond/surety bond to the satisfaction of the trial Court.

However, anything observed hereinabove shall not be treated as an expression of opinion on merits of the case and is meant only for the purpose of decision of present petition.

(JASGURPREET SINGH PURI)
JUDGE

07.02.2020
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Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No