

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

**CRM-M-48125-2019
Decided on : 10.02.2020**

Sumitra Bai

... Petitioner(s)

Versus

State of Punjab

... Respondent(s)

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

PRESENT: Ms. Riffi Birla, Advocate
for the petitioner(s).

Ms. Bhavna Gupta, DAG, Punjab
assisted by ASI Yugraj Singh.

MANJARI NEHRU KAUL, J.

The instant petition has been filed under Section 439 Cr.P.C. for grant of regular bail in case FIR No. 176, dated 20.07.2019, under Section 306 IPC, registered at Police Station Sadar Fazilka, District Fazilka.

Learned counsel for the petitioner *inter alia* contends that as per the allegations levelled in the FIR in question, the petitioner was having illicit relations with the husband of the deceased, on account of which, she used to remain disturbed. It was contended that even from the perusal of the allegations levelled in the FIR in question, the offence to attract the mischief of Section 306 IPC was not made out *qua* the petitioner.

Learned State counsel on the other hand has opposed the bail application. However, she has not been able to controvert the fact that there are no other allegations in the FIR, except the factum of the husband of the deceased being in an illicit relationship with the petitioner. Learned State counsel has further submitted that charges have been framed in the instant case and the case is now fixed for prosecution evidence. The FSL report has also not been received till date.

Heard.

Having considered the submissions made by either side, the petitioner has been behind bars admittedly since 17th August, 2019. Hence, no useful purpose would be served by keeping the petitioner behind the bars, as the trial would take a long time to conclude. The petition as such is allowed and the petitioner is admitted to bail to the satisfaction of trial Court/Duty Magistrate. However, it is made clear that anything observed herein shall not be construed as an expression of opinion on the merits of the case.

(MANJARI NEHRU KAUL)
JUDGE

February 10, 2020

J.Ram

Whether speaking/reasoned: *Yes/No*
Whether Reportable: *Yes/No*