

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

220

CRM-M-2874-2021

Decided on : 27.01.2021

Santosh Rani @ Santosh

... Petitioner(s)

Versus

State of Punjab

... Respondent(s)

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

(Through Video Conferencing)

PRESENT: Mr. Fariad Singh Virk, Advocate
for the petitioner(s).

Mr. H.S. Sullar, AAG, Punjab
assisted by ASI Palwinder Singh.

MANJARI NEHRU KAUL, J. (Oral)

This is the third petition filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No. 62, dated 08.04.2019, under Sections 304-B/120-B IPC (later on added the offence under Section 302 IPC in challan and charge framed under Section 304-B/120-B IPC), registered at Police Station Patrana, District Patiala.

On a pointed query put to the learned counsel for the petitioner as to what were the change in circumstances subsequent to the withdrawal of earlier petition in August, 2020, learned counsel has submitted that similarly situated accused has been extended the concession of regular bail and the trial has not proceeded thereafter. It has been submitted that the petitioner, who is the mother-in-law of the deceased has been in custody since 08th April, 2019 and only charges have been framed till date. Further, even a perusal of the FIR reveals that there are no specific attributions *qua* the petitioner except that she along with the other co-accused conspired to kill the deceased.

Per contra, learned State counsel has opposed the prayer and

submissions made by learned counsel for the petitioner. He has, however, not been able to controvert the factual aspect of the submissions made by learned counsel for the petitioner *qua* her role in the crime in question. He has apprised the Court on instructions that as many as 20 prosecutions witnesses have been cited, however, none of them have been examined till date.

Heard.

In view of the submissions made by learned counsel for the parties, I deem it a fit case for grant of the concession of regular bail to the petitioner, as the trial is unlikely to conclude in the near future, more so, in the prevailing conditions due to the outbreak of COVID-19. 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 hereinabove shall not be construed as an expression of opinion on the merits of the case.

(MANJARI NEHRU KAUL)
JUDGE

January 27, 2021

J.Ram

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