

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-3555-2021

Date of Decision: 09.02.2021.

SMT. NIRMALA DEVI

.....*Petitioner*

V/s.

STATE OF HARYANA

.....*Respondent*

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL.

(Through Video Conferencing)

Present: Mr. Parminder Walia, Advocate,
 for the petitioner.

Mr. Rajat Gautam, Deputy Advocate General, Haryana.

MANJARI NEHRU KAUL, J. (Oral)

This is the first petition filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the petitioner in case FIR No.159, dated 13.06.2018, registered under Section 406, 420, 120-B of the Indian Penal Code, 1860 at Police Station Pinjore, District Panchkula, Haryana.

Learned counsel for the petitioner contends that petitioner is innocent and has been falsely implicated in the FIR in question. It has further been submitted that the petitioner has been in custody since 29.10.2020 and there is no likelihood of the trial concluding in the near future. He has further submitted that the similarly situated co-accused (Vijay Kumari) has been extended the concession of bail by this Court vide order dated 12.01.2021 passed in CRM-M-42641-2020. Thus, a prayer has been made to extend the concession of regular bail to the petitioner as well as no useful purpose would be served in keeping her in the judicial custody.

Per contra, learned State counsel while opposing the prayer and submissions made by learned counsel for the petitioner, on instructions from ASI Partap Singh, has apprised this Court that the prosecution evidence is due to commence before the trial Court shortly. It has further been submitted that the delay in conclusion of the trial has been on account of the outbreak of pandemic COVID-19.

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 concerned. However, it is made clear that anything observed hereinabove shall not be construed as an expression of opinion on the merits of the case.

February 9, 2021

Ess Kay

**[MANJARI NEHRU KAUL]
JUDGE**

<i>Whether speaking / reasoned</i>	:	<i>Yes /No.</i>
<i>Whether Reportable</i>	:	<i>Yes/No</i>