

**208 IN THE HIGH COURT OF PUNJAB AND HARYANA
 AT CHANDIGARH
(through video conferencing)**

**CRM-M-12946-2021
Decided on : 07.04.2021**

Deepa & anr.

.... Petitioner(s)

Versus

State of Punjab

.... Respondent(s)

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. J.S. Thakur, Advocate
 for the petitioners.

Mr. P.S.Walia, AAG, Punjab.

MANJARI NEHRU KAUL, J.(Oral)

The instant petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioners in case FIR No. 104 dated 16.07.2019 under Sections 307, 324, 323 IPC (later on added Sections 302, 34, 148, 149 IPC, 1860) registered at Police Station Nakodar Sadar, District Jalandhar Rural.

Learned counsel for the petitioners submits that it is a case resting on circumstantial evidences, inasmuch as, neither was the petitioners named in the FIR in question nor even suspected of having committed the crime. He further submits that it was only after one year of the alleged occurrence on 10.05.2020, the name of the petitioners were nominated as an accused in the supplementary statement made by the son of the deceased namely Sher Singh @ Shera. Learned counsel further submits that the evidence collected by the investigating agency is of weak nature and clearly hints at the false implication of the petitioners in the case in hand. It has also been submitted that similarly situated co-accused has been granted the concession of bail by this Court vide

order dated 23.02.2021. Thus, a prayer has been made to extend the concession of regular bail to the petitioners.

Per contra, learned State counsel while opposing the prayer and submissions made by learned counsel for the petitioners, on instructions from ASI Janak Raj, has submitted that charges have since been framed and prosecution evidence is likely to commence shortly. He has, however admitted that the FIR in question was registered against unknown persons and it was only in the supplementary statement of the complainant that the name of the petitioners surfaced for the first time on 10.05.2020.

Heard.

In view of the submissions made by learned counsel for the parties and keeping in view the fact that petitioners have been in custody since 09.06.2020, I deem it a fit case for grant of the concession of regular bail to the petitioners, 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 petitioners are admitted to bail to the satisfaction of trial Court/Duty Magistrate. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

(MANJARI NEHRU KAUL)
JUDGE

07.04.2021
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<i>Whether speaking/reasoned:</i>	<i>Yes/No</i>
<i>Whether Reportable:</i>	<i>Yes/No</i>