

In the High Court of Punjab and Haryana at Chandigarh

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CRM-M-18204-2021 (O & M)

Date of Decision: May 20, 2021

NIRMAL KAUR @ BHOLI

....PETITIONER

VERSUS

STATE OF PUNJAB

....RESPONDENT

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr.Bhanu Pratap Singh, Advocate
for the petitioner.

Mr. Dhruv Dayal, Senior DAG, Punjab.

ANUPINDER SINGH GREWAL, J (ORAL)

Case taken up through video conferencing.

The petitioner is seeking regular bail in FIR No.94 dated 23.06.2020, under Sections 302/201 and 120-B IPC, registered at Police Station Sadar Hoshiarpur, District Hoshiarpur.

Learned counsel for the petitioner contends that the petitioner has been arraigned as an accused only because she is the mother of co-accused Harpreet Singh, who was allegedly in a relationship with the deceased. No specific role has been attributed to the petitioner. There is a delay of 10 days in registering the FIR which has been lodged by the husband of the deceased, who was living abroad and the relations between them were strained. He also contends that the cause of death of the deceased has not been ascertained although she was being treated for depression. He also contends that the petitioner, who is 55 years old lady, is in custody for over 10 months and is not involved in any other case.

Learned State counsel has filed custody certificate in Court which indicates that the petitioner is in custody for 10 months and 21 days. He upon instructions from ASI Gurdip Singh contends that although charges have been framed but no prosecution witness has been examined.

Heard through video conferencing.

In view of the above especially when there is a delay of 10 days in lodging the FIR, no specific role has been attributed to the petitioner, the petitioner is 55 years old lady, she is in custody for over 10 months, she is not involved in any other case, the COVID-19 pandemic and the conclusion of the trial is likely to take some time, I deem it a fit case to grant the concession of regular bail to the petitioner.

Therefore, without expressing any opinion on the merits of the case, the instant petition is allowed. The petitioner is ordered to be released on regular bail on her furnishing requisite bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

(ANUPINDER SINGH GREWAL)
JUDGE

May 20, 2021
A.Kaundal

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