

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

224

CRM-M-36118-2020

Date of decision : 08.01.2021

Munni Devi

... Petitioner

Versus

State of Punjab

.. Respondent

CORAM :HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present:- Mr. Sandeep Verma, Advocate for the petitioner.

Mr. Dhruv Dayal, Senior DAG, Punjab.

Anupinder Singh Grewal, J. (Oral)

The petitioner is seeking regular bail in FIR No.34 dated 08.03.2017, under Sections 302, 34 IPC, registered at Police Station Macchiwara Sahib, district Ludhiana.

Learned counsel for the petitioner contends that it is alleged in the FIR that loud noises were coming near the *jhuggy* of the petitioner and the complainant saw that the deceased was beaten up by co-accused, namely, Hira Kumar, who had also hit the deceased with a handpump. The petitioner is alleged to have been holding the deceased. He further contends that as per the postmortem report, there was only one injury on the head of the deceased which is attributed to co-accused, namely, Hira Kumar. He also contends that the petitioner, who is 43 year old poor lady, is in custody for over 03 years and 09 months and is not involved in any other case.

Learned State counsel contends that the petitioner had also participated in the occurrence and therefore, she is not entitled to the

concession of regular bail. He, upon instructions from ASI Vipin Kumar, contends that 07 out of 15 prosecution witnesses have been examined.

Heard through video conferencing.

In view of the above especially when the petitioner has not been attributed the fatal blow to the deceased, she is a lady, she is in custody for over 03 years and 09 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

January 08, 2021
sonia gugnani

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