

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(223)

CRM-M-371-2022

Date of Decision: January 28, 2022

Jasvir Kaur alias Jasi

.. Petitioner

Versus

State of Punjab

.. Respondent

(Through Video Conferencing)

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. Rishu Mahajan, Advocate, for the petitioner.

Mr. Kirat Singh Sidhu, Deputy Advocate General, Punjab.
(keeping in view the advance copy given).

HARSIMRAN SINGH SETHI J. (ORAL)

Present petition has been filed under Section 439 Cr.P.C for the grant of regular bail to the petitioner in respect of FIR No.94 dated 09.08.2020 registered under Sections 370, 384 and 342 of the IPC, 1860 at Police Station City Nakodar, District Jalandhar.

Learned counsel for the petitioner argues that the petitioner has wrongly been roped in the present case and is suffering incarceration for the last more than one and half year and that too without the trial being conducted in a manner and pace in which it ought to have been. Learned counsel for the petitioner submits that even as of now, the charges have not been framed which shows that the trial is likely to take some time before it concludes and the petitioner, who is already behind the bars for the last

approximately one and half year, may kindly be extended the concession of regular bail as the petitioner undertakes before this Court not to influence the trial or the witnesses in any amnner.

Notice of motion.

Mr. Kirat Singh Sidhu, learned Deputy Advocate General, Punjab, who has joined the proceedings through video conference, keeping in view the service of advance copy of petition, accepts notice on behalf of the respondent-State.

Learned counsel for the respondent-State submits that the trial is not being conducted on a pace required due to the restricted working of the Courts keeping in view the pandemic of Covid-19. Learned counsel for the respondent-State, on the instructions from ASI Lamber Singh, concedes the factum that the petitioner is behind the bars for the last more than one and half year.

I have heard learned counsel for the parties and have gone through the record with their able assistance.

Keeping in view the fact that the allegations alleged against the petitioner are yet to be proved and due to the restricted working of the Courts, the trial is likely to take some time before it concludes and the petitioner has already suffered incarceration for the last one and half year, no useful purpose will be achieved in keeping the petitioner behind the bars especially when the petitioner has undertaken before this Court not to influence the trial or the witnesses in any manner and in case of default of the above undertaking, State will be at liberty to approach this Court for passing appropriate orders.

In view of the above and without commenting upon the merits of the case, it is directed that the petitioner be released on regular bail, subject to the satisfaction of the trial Court/Duty Magistrate concerned.

However, it is made clear that anything observed herein shall not be construed to be an expression of any opinion on the merits of the case.

January 28, 2022
harsha

(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned?: Yes/No
Whether reportable? : Yes/No