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

CRM-M-12398-2022

Date of Decision: 11.05.2022

Ganga Rani

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. Yashpal Thakur, Advocate for the petitioner.

Mr. R.S. Thind, DAG, Punjab.

JASGURPREET SINGH PURI, J. (ORAL)

The present petition has been filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in case bearing FIR No.011 dated 21.01.2019, under Sections 323, 341, 148 & 149 of the IPC (later on added Sections 302 & 325 of the IPC), registered at Police Station Kotwali Nabha, District Patiala.

It has been submitted by learned counsel for the petitioner that the petitioner is a lady aged 29 years and she is facing incarceration for about 3 years and 4 months and is in custody since 26.01.2019. He further submitted that even as per the allegations, the role attributed to the petitioner was throwing the bricks and apart from the same all the material witnesses have now been examined and therefore, no useful purpose would be served in case the petitioner is further kept in custody. He also submitted that the petitioner is not involved in any other case and has got clean antecedents.

On the other hand, Mr. R.S. Thind, learned Deputy Advocate General, Punjab has submitted that it is correct that the petitioner is in

custody since 26.01.2019, which is almost 3 years and 4 months. He further submitted that it is also correct that the petitioner is not involved in any other case and all the material witnesses have now been examined by the learned trial Court.

I have heard the learned counsel for the parties.

The petitioner is a lady aged 29 years and is in custody since 26.01.2019 which is almost 3 years and 4 months and as per the learned counsel for the parties, all the material witnesses have been examined. The petitioner is not involved in any other case and has got clean antecedents. Furthermore, it is not the case of the State that in case the petitioner is released on regular bail then she may abscond or flee from justice or may influence the witness or may tamper with the witness, therefore, this Court is of the view that considering the aforesaid facts and circumstances of the case and especially the custody of the petitioner, she is entitled for the grant of regular bail.

Consequently, the present petition is allowed and the petitioner is ordered to be released on bail on furnishing bail bond/surety bond to the satisfaction of the trial Court/Duty Magistrate concerned, if not required in any other case.

However, anything observed hereinabove shall not be treated as an expression of opinion on merits of the case and is only meant for the purpose of decision of present petition.

11.05.2022

Bhumika

**(JASGURPREET SINGH PURI)
JUDGE**

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| 1. Whether speaking/reasoned: | Yes |
| 2. Whether reportable: | Yes/No |