

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

237

CRM-M-15340-2022 (O&M)

Date of Decision: 27.07.2022

MAMTA

... Petitioner

Versus

STATE OF PUNJAB

... Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Arnav Sood, Advocate for the petitioner.

Mr. Harbir Sandhu, AAG, Punjab.

HARNARESH SINGH GILL, J.(Oral)

Through this petition, the petitioner seeks regular bail in case bearing FIR No.107 dated 22.08.2021, registered at Police Station Chabbewal, District Hoshiarpur, under Sections 302 and 307 IPC; Section 120-B IPC (added later on) and Sections 25 of the Arms Act.

Specific affidavit dated 19.07.2022 of the Deputy Superintendent of Police, Sub-Division Garhshankar, District Hoshiarpur, filed on behalf of the respondent-State, in the Court, is taken on record.

Learned counsel for the petitioner submits that the petitioner has not been named in the FIR and has been indicted on the basis of the supplementary statement of the complainant; that the allegation against the petitioner is that she was having an illicit relationship with Mandeep Singh (husband of the complainant) and she in a conspiracy with Mandeep Singh had tried to kill the complainant. He further submits that the petitioner has been in custody since 23.08.2021.

On the other hand, learned State counsel, while opposing the

prayer for grant of regular bail to the petitioner, does not dispute the custody period of the petitioner. He, however, submits that due to the illicit relationship between the petitioner and Mandeep Singh (husband of the complainant), Mandeep Singh on the intervening night of 21/22.08.2021, had fired gun shots upon the complainant and her mother; that mother of the complainant died at the spot and that the complainant was taken to the hospital, where she barely survived. He further submits that the challan has already been presented and that the prosecution evidence is yet to commence.

I have heard the learned counsel for the parties.

The petitioner has been in custody since 23.08.2021. The petitioner was not named in the FIR and has been indicted on the basis of the supplementary statement of the complainant. Prosecution evidence is yet to commence and there are total 30 prosecution witnesses. In such circumstances, the trial of the case would take a long time to conclude. Therefore, no useful purpose would be served by keeping the petitioner behind the bars.

In view of the above and without commenting anything on the merits of the case, lest it should prejudice the case of either side, the present petition is allowed and the petitioner is ordered to be released on bail on her furnishing bail/surety bonds to the satisfaction of the learned trial Court/Duty Magistrate/Chief Judicial Magistrate concerned.

27.07.2022

Aman Jain

(HARNARESH SINGH GILL)

JUDGE

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