

**In The High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-20331-2020 (O&M)

Date of Decision:- 02.8.2022

Manjit Kaur

.... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. L.S.Sekhon, Advocate, for the petitioner.

Mr. Harpreet S. Multani, AAG, Punjab.

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner has approached this Court seeking grant of regular bail in respect of a case registered against her vide FIR No. 467, dated 30.12.2019, Police Station Sadar Mansa, District Mansa, under Sections 302, 120-B IPC.
2. The allegations, in nutshell, as levelled by the complainant are that the deceased Roop Singh was his brother and that the petitioner is wife of his brother Roop Singh (deceased) who, in conspiracy with her paramour Lachhman Singh, had administered poison to her husband Roop Singh by mixing the same in eggs.

3. Learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in the present case so as to deprive her of her rights in the property. It has been submitted that there is no eye-witness to the occurrence. It has also been submitted that though as per the Viscera Report, poison i.e. Organophosphorus was found, but the said chemical omits a very strong odour and it is not possible to administer the same to anyone by deceit. Learned counsel has further submitted that in any case the petitioner who is a lady has been behind bars for a substantial period of more than 2 years and 6 months and since material PWs have been examined, the petitioner deserves the concession of bail.
4. Learned State counsel while opposing the petition has submitted that in the present case there is evidence in the shape of none else, but daughter of the petitioner who has categorically stated that the petitioner was having an affair with one Lachhman Singh and that the deceased and the petitioner had a fight. Learned State counsel has submitted that since 8 out of the cited 15 PWs have already been examined, the prosecution shall make efforts for concluding the trial at the earliest. Learned State counsel has also submitted that some delay in the proceedings of trial had occurred on account of the fact that co-accused could not be arrested and was arrested on 17.9.2021 and that ever since the trial has been proceeding in a fairly efficient manner.
5. I have considered rival submissions addressed before this Court.

6. It is no doubt correct that specific allegations have been levelled against the petitioner to the effect that she had poisoned her husband in conspiracy with her paramour. However, as on date the material witnesses i.e. the complainant as well as the daughter of the petitioner have already been examined. The petitioner, who is a lady has been behind bars for a substantial period of 2 years, 6 months and 23 days. In these circumstances, further detention of petitioner will not serve any useful purpose. The petition, as such, is accepted and the petitioner is ordered to be released on bail subject to her furnishing bail bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

02.8.2022

Mohan

(GURVINDER SINGH GILL)
JUDGE

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No