

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

206

CRM-M-31045-2021

Date of decision : 06.07.2022

Nirmal Kaur

... Petitioner

Versus

State of punjab

.. Respondent

CORAM :HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present:- Mr. Jupinder Pal Singh Brar, Advocate for the petitioner.

Mr. Hittan Nehra, Addl. A.G., Punjab.

Anupinder Singh Grewal, J. (Oral)

The petitioner is seeking regular bail in FIR No.21 dated 09.03.2017 under Sections 302/34 IPC (Sections 109 and 120-B IPC added later on), registered at Police Station Kotfatta, District Bathinda.

Learned counsel for the petitioner contends that the petitioner along with Lakhwinder Singh @ Baba had killed her two minor grandchildren for divine appeasement. He, however, submits that co-accused Lakhwinder Singh @ Baba, who had been named in the FIR, had been declared innocent by the police and had not been challaned. The petitioner is an elderly lady and is in custody for over five years and three months. She is not involved in any other criminal case. The material witnesses including the complainant, who was examined as PW-1 and an eye-witness, who was examined as PW-3, have not supported the prosecution case qua the involvement of the petitioner.

Learned State counsel, upon instructions from ASI Dharshan Singh, states that 08 out of 33 prosecution witnesses have been examined.

Heard.

In view of the above especially when the petitioner is an elderly lady, she is in custody for over five years and three months, the material prosecution witnesses have not supported the prosecution case qua the involvement of the petitioner, 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

July 06, 2022
sonia gugnani

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