

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

**CRM-M-48013 of 2021
Date of Decision:- 20.05.2022**

Hema Rani

....Petitioner

Vs.

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

Present:- Mr. Jasraj Singh, Advocate for the petitioner.

Ms. Samina Dhir, DAG, Punjab.

KARAMJIT SINGH, J.

Prayer is for grant for regular bail to the petitioner in case having FIR No.251 dated 30.12.2017 registered under Sections 302 IPC, 1860 to which Section 120-B and 201 of IPC added later on, Police Station Civil Lines, District Patiala.

The counsel for the petitioner contends the petitioner has been falsely implicated in the present case, which is based upon circumstantial evidence. Counsel for the petitioner further contends that petitioner is in custody for the last more than 4 years and all the material witnesses including Rahul son of deceased have been examined in the trial Court. That however, it will take time for the trial to conclude. He further contends that the petitioner is entitled to grant of regular bail.

The present petition is opposed by the State counsel, who submits that the present case is relating to murder of Rajender Kumar father of Rahul and during investigation the complicity of present petitioner in the said murder was established.

I have considered the submissions made by counsel for the parties.

As per the custody certificate furnished by the State counsel, the petitioner is in custody for the last more than 4 years and 4 months. Admittedly, the trial is going on and main witness Rahul has been examined as has been stated by the State counsel on instructions from ASI Pawan Kumar. The FIR in this case was registered against some unknown persons. It will take time for trial to conclude. The petitioner is already behind the bars for the last more than 4 years. So, no purpose would be served, even if the petitioner is kept in custody for any longer period.

In view of the above, without commenting on the merits of the case, this petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing bail and surety bonds to the satisfaction of the Trial Court/CJM/Duty Magistrate concerned.

20.05.2022

P. Chawla

**(KARAMJIT SINGH)
JUDGE**

Whether reasoned / speaking?

Yes / No

Whether reportable?

Yes / No