

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

(Heard through VC)

CRM-M-50826 of 2021 (O&M)

Date of Decision: February 01, 2022

Harmeet Kaur

...Petitioner

Versus

State of Punjab

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Amit Arora, Advocate
for the petitioner.

Mr. R.B.S. Mann, Advocate
for the respondent.

JAISHREE THAKUR, J. (Oral)

The instant petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No.210 dated 18.08.2021, under Sections 306, 34 of Indian Penal Code, registered at Police Station City Tarn Taran, District Tarn Taran.

Learned counsel for the petitioner contends that the petitioner herein was taken into custody in the aforesaid FIR on 19.08.2021. It is argued that the petitioner has been falsely implicated in the present case, as ingredients of Section 306 IPC are not made out. In support of his arguments, he would rely upon judgments rendered by the Supreme Court in

Criminal Appeal No.1301 of 2002 dated 05.01.2010 titled as Gangula Mohan Reddy vs. State of Andhra Pradesh, Criminal Appeal Nos.1138-1139 of 2016 [S.L.P. (Crl) Nos.5928-5929 of 2016] dated 22.11.2016 titled as K.V. Prakash Babu vs. State of Karnataka and Criminal Appeal No.1135 of 2016 [Arising out of S.L.P. (Criminal) No.8764 of 2016] dated 02.12.2016 titled as Gurcharan Singh vs. State of Punjab. It is further contended that investigation is complete, as the challan stands presented and charges have been framed, as such, the petitioner is entitled to be enlarged on regular bail. It is also argued that the petitioner herein is not in a position to influence the testimony of any witness and that she has a minor daughter, aged 3 years, to look after.

Per contra, learned counsel appearing on behalf of respondent-State, on instructions from the Investigating Officer, opposes the grant of regular bail to the petitioner. However, he does not dispute the fact that investigation stands complete in the matter.

I have heard learned counsel for the parties.

In view of the facts that the petitioner herein has been in custody since 19.08.2021, investigation is complete, as the challan stands presented and charges have been framed and that conclusion of trial is likely to take sufficient time, as such, no useful purpose would be served in keeping the petitioner behind bars. At this stage, without commenting on the merits of the case, the instant petition is allowed and the petitioner is directed to be released on regular bail on execution of adequate personal bond and surety bond to the satisfaction of concerned trial Court/Duty Magistrate.

However, anything observed or said by this court is only for the purpose of deciding the instant petition for grant of regular bail and the same shall have no effect on the merits of the case.

February 01, 2022
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(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No