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

CRM-M-823-2023

Date of Decision:23.08.2023

Nikki

...Petitioner

VS.

State of Punjab

...Respondent

Coram : Hon'ble Mr. Justice N.S.Shekhawat**Present :** Mr. Amandeep Singh Samra, Advocate
for the petitioner.

Mr.M.S.Bajwa, Deputy Advocate General, Punjab.

N.S.Shekhawat J. (Oral)

The petitioner has filed the instant petition under Section 439 of the Cr.P.C. with a prayer to grant regular bail to her in case FIR No.94 dated 11.05.2020 registered under Sections 302, 459, 323, 324, 506, 148 & 149 of IPC at Police Station City Dhuri, District Sangrur.

Learned counsel for the petitioner contends that the petitioner has been falsely involved in the present case. Even as per the admitted case of the prosecution, the petitioner did not cause any injury to the deceased and only role attributed to the petitioner is that she tried to strangle the daughter of the complainant, while the other assailants allegedly dragged and misbehaved with her. Except the said role, no other role has been attributed to the present petitioner.

Learned counsel for the petitioner contends that the petitioner was arrested in the present case on 11.05.2020 and there is no other criminal case

against her. Learned counsel further contends that only one witness has been examined, out of total 23 witnesses and the conclusion of the trial may quite take a long time. Learned counsel further submits that the other co-accused, namely, Harshdeep Singh @ Bablu, Baljeet Singh @ Kala, Sagar and Jashandeep Singh and Samardeep Singh have been granted concession of bail vide orders (Annexures P-5 to P-8) respectively. He further contends that further custody of the petitioner will serve no meaningful purpose.

On the other hand, learned State counsel has vehemently opposed the prayer made by learned counsel for the petitioner on the ground that there are serious allegations against the present petitioner.

I have heard the learned counsel for the parties and perused the record.

It is not in dispute that the petitioner was arrested in the present case on 11.05.2020 and is in custody for the last more than 3 years and 2 months. Even no injury to the deceased has been attributed to the present petitioner and as per the case of the prosecution, the petitioner had allegedly tried to strangle the daughter of the complainant and except the said role, no other injury has been attributed to the present petitioner.

Without commenting on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on bail subject to her furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate, concerned.

23.08.2023

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(N.S.SHEKHAWAT)**JUDGE**

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