

210 IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-15240-2023
Date of decision 11.04.2023

MANDEEP KAUR	Petitioner
Verses	
STATE OF PUNJAB	...Respondent

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. Vaibhav Narang, Advocate
for the petitioner.

Ms. Akshita Chauhan, DAG, Punjab.

JASGURPREET SINGH PURI, J (Oral):

The present is a second petition filed under Section 439 Cr.P.C. for the grant of regular bail to the petitioner in case FIR No.144 dated 22.06.2021 under Section 302, 452, 392 IPC 1860, registered at Police Station Cantonment, District Police Commissionerate, Amritsar.

Learned counsel for the petitioner has submitted that it is a case where the petitioner is a lady aged 34 years and she is in custody since 22.06.2021 which is almost 1 year and 9 months and charges were framed on 29.12.2021 and till now only one PW has been examined and the trial is not progressing. He submitted that even as per the allegations, the complainant had allegedly seen some persons strangulating his wife but the petitioner has been implicated purely on basis of suspicion. He further submitted that it is to be seen at the time of trial as to whether the petitioner is involved or not but now she has already faced incarceration for 1 year

and 9 months and the trial is progressing at a very slow pace and has

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therefore, prayed for the grant of regular bail to the petitioner.

On the other hand, learned State counsel has submitted that it is correct that the petitioner is in custody for about 1 year and 9 months and only one witness has been examined in part. She has however opposed the bail on the ground that the matter is serious in nature.

I have heard the learned counsel for the parties.

The petitioner is a lady aged 34 years and as per the allegations the complainant has seen some persons strangulating his wife. The petitioner has already faced incarceration for about 1 year and 9 months and only one witness has been examined till date and even the charges were framed more than one year ago. Furthermore, it is not the case of the learned State counsel that in case the petitioner is released on bail then she may abscond or tamper with any evidence.

Consequently, the present petition is allowed. The petitioner shall be released on regular bail, subject to furnishing bail bonds/surety to the satisfaction of the learned trial Court/Duty Magistrate concerned.

However, anything observed herein above shall not be treated as an expression of opinion on merits of the case & is only meant for the purpose of decision of present petition.

(JASGURPREET SINGH PURI)
JUDGE

11.04.2023
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Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No