



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

202

CRM-M-27693-2024 (O&M)
Date of decision: 01.07.2024

Manpreet Kaur

....Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : Mr. Munish Garg, Advocate for the petitioner

Mr. Manipal Singh Atwal, DAG Punjab

AMAN CHAUDHARY. J. (ORAL)

1. Prayer in this petition filed under Section 439 Cr.P.C. is for grant of regular bail to the petitioner in case FIR No.124, dated 28.05.2023, registered under Sections 307 and 379 read with Section 34 IPC, at Police Station Sadar, District Mansa.
2. Learned counsel contends that the petitioner, who is the mother of the complainant, is in custody for about 7 months with the allegation that she caught hold of the complainant. Another co-accused, namely Jasvir Singh, who has been alleged the same role, as also the main accused Hamir Singh alias Hameer Singh, have already been granted regular bail by this Court vide orders dated 13.02.2024 and 26.04.2024, Annexure P-3 and P-4 respectively. Charges have been framed on 07.02.2024, however, none out of 22 prosecution witnesses has been examined. She is not involved in any other case.



3. Custody certificate dated 29.06.2024, filed by learned State counsel is taken on record, as per which, the petitioner is behind bars for 6 months and 29 days.

4. Learned State counsel opposes the bail on the ground that there are specific allegations against the petitioner of holding the arms of the complainant, while other co-accused gave her injuries. He is unable to controvert the submissions made regarding the stage of the case, co-accused having been granted bail and petitioner not being involved in any other case.

5. Heard.

6. Keeping in view the facts and circumstances of the case, in particular that the petitioner is in custody for last 6 months and 29 days; not involved in any other case; co-accused have been granted bail; charges were framed on 07.02.2024, however out of a total of 22 prosecution witnesses, none has been examined so far; the trial is likely to take a considerable time, thus her further incarceration would not serve useful purpose, thus, the present petition for grant of regular bail deserves to be allowed.

7. As a result, the present petition is allowed. The petitioner is ordered to be released on regular bail, subject to her furnishing bail/surety bonds to the satisfaction of trial Court/Duty Magistrate concerned and subject to her not being required in any other case. The petitioner shall abide by the following conditions:-

- (i) The petitioner will not tamper with the evidence during the trial.
- (ii) The petitioner will not pressurize/ intimidate the prosecution witnesses.
- (iii) The petitioner will appear before the trial Court on each and every date fixed, unless is exempted by a specific order of



Court.

- (iv) The petitioner shall not commit an offence similar to the offence of which, she is an accused, or for commission of which she is suspected of.
- (v) The petitioner shall not directly or indirectly coerce, induce, threaten or promise to any person acquainted with the facts of the case so as to dissuade him/her from disclosing such facts to the Court or to any police officer or tamper with the evidence in any manner.
- (vi) The petitioner shall not in any manner misuse her liberty.
- (vii) The petitioner shall furnish her address and mobile number to the Trial Court forthwith and shall not change the same till the conclusion of the trial and in case for any reason, the petitioner seeks to change any of the aforesaid, the same shall be done only with prior intimation to the learned Trial Court, stating the reason for the same.
- (viii) The petitioner shall not leave the country without prior permission of the trial Court.
- (ix) The trial Court/Duty Magistrate may impose any other condition, as deemed appropriate while releasing the petitioner.

8. It is made abundantly clear that in case there is any breach of the aforesaid conditions, the State shall be at liberty to seek cancellation of bail as granted to the petitioner by this order.

9. In view of the above, it is clarified that the observations made herein are limited for the purpose of present proceedings and would not be construed as an opinion on the merits of the case and the trial would proceed independently of the aforesaid observations.

(AMAN CHAUDHARY)
JUDGE

01.07.2024
M.Kamra

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