

2024:PHHC:056293

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

108

**CRM-M-50038-2022 (O&M)
Date of Decision : April 25, 2024**

DALJIT KAUR

-PETITIONER

V/S

STATE OF PUNJAB

-RESPONDENT

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present: Mr. Anil Kumar Sagar, Advocate
for the petitioner.

Mr. Raghav Garg, A.A.G, Punjab.

Dr. Payel Mehta, Advocate and
Mr. Praveen Kumar, Advocate
for the complainant.

KULDEEP TIWARI, J. (ORAL)

1. Through this second petition, the petitioner seeks the relief of her being enlarged on regular bail, in FIR No.32 dated 13.02.2021, under Sections 302/34/364/201/120-B of the IPC, registered at P.S. Mataur, District S.A.S. Nagar.

2. The record reveals that the petitioner had earlier also accessed this Court, through filing CRM-M-54329-2021, thereby seeking an alike relief, as claimed herein. However, the petitioner did not succeed in her efforts, inasmuch as, a Co-ordinate Bench of this Court had dismissed the petition (supra), through making a detailed order dated 07.01.2022.

3. The learned counsel for the petitioner submits that, at the time of declining regular bail to the petitioner on 07.01.2022, some of the essential witnesses were not examined by the prosecution before the learned trial Court, however, they have not been examined and their testimony would pave the way for petitioner's innocence, besides making it apparent

that the petitioner has been falsely implicated in the present FIR.

4. The learned State counsel opposes the grant of bail to the petitioner, on the ground that, no concrete supervening events have been brought before this Court, wherethrough, the instant second petition, on the same cause of action, can be maintained. He also files a short reply and custody certificate of the petitioner, which are taken on record.

5. Be that as it may, this Court cannot, at this stage, examine and appreciate the testimonies of the witnesses, as the learned trial Court is seized of the said task. The learned trial Court would, at an appropriate stage, examine and appreciate the evidence so adduced before it by the parties.

6. However, considering the fact that the petitioner has been behind the bars for past more than 3 years and only 7 witnesses, out of total 28 prosecution witnesses, have been examined so far, this Court deems it imperative to direct the learned trial Court to make all possible efforts for expediting the conclusion of trial. Moreover, the Senior Superintendent of Police concerned is also directed to ensure the presence of all the official prosecution witnesses, on each and every date, as fixed by the learned trial Court concerned, for their examination.

7. The instant petition is **dismissed**, however, with directions (supra).

8. Pending application(s) stand disposed of accordingly.

April 25, 2024
devinder

(KULDEEP TIWARI)
JUDGE

Whether speaking/reasoned	:	Yes/No
Whether Reportable	:	Yes/No