
(2020) 11 SHI CK 0211

In the High Court Of Himachal Pradesh

Case No : Criminal Miscellaneous Petition (M) No. 2033 Of 2020

Reshma

APPELLANT

Vs

State Of Himachal Pradesh

RESPONDENT

Date of Decision : 25-11-2020

Acts Referred:

Indian Penal Code, 1860 — Section 120B, 302

Citation : (2020) 11 SHI CK 0211

Hon'ble Judges : Anoop Chitkara, J

Bench : Single Bench

Advocate : N.K. Thakur, Divya Raj Singh, Nand Lal Thakur, Ram Lal Thakur

Final Decision : Allowed

Judgement

Anoop Chitkara, J

1. A mother, who recently gave birth to a child outside the prison, because she was released on interim bail to deliver a baby, has now again come up

before this Court seeking regular bail in FIR No.96/2020 dated 23.6.2020 under Sections 302, 120B IPC, Police Station, Amb, District Una, H.P.

2. While arguing this petition on merits, Shri N.K. Thakur, learned Senior Advocate submits that for the time being, he would be contended if the

petitioner is given an interim bail on the ground that she has a neonatal baby, aged three months and the conditions in the jail may prone her and her

child to Covid-19 infection.

3. Given the fact that the winters are approaching, where the possibility to spreading of infection would be more due to cold weather and lack of air

ventilation and coupled with the fact that the petitioner has an infant aged three months and also with the fact that she had duly surrendered well

within the time, when she was released on interim bail, to enable her to deliver her baby. As such, she is released on further interim bail till 30.4.20201,

subject to furnishing personal bond to the sum of Rs.10,000/- with one surety to the like amount. Furthermore, Shri N.K. Thakur, learned Senior

Advocate submits that the petitioner is presently confined in Model Central Jail, Kanda. As such, the bail bonds will be attested from such jail and the release order would also be addressed to the said jail.

4. Shri N.K. Thakur, learned Senior Advocate has requested this Court that the petitioner has no human resource to carry the certified copy from this

Court and if his office sends certified copy by post, then it would consume more time. Mr. N.K.Thakur, learned Senior Advocate contends that the

new born child of the petitioner is in great health risk.

5. I find merits in the contention and as such, instead of certified copy, any Advocate for the petitioner may download the copy of this order from the

webpage of this High Court and attest the same to be true, which shall serve all purposes for furnishing the requisite bail bonds.

Given above, the petition is allowed to the aforesaid terms.

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