

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-25321 of 2015

Date of decision : August 06, 2015

Smt. Rakhi

... Petitioner

vs.

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Aditya Sanghi, Advocate
for the petitioner.

Surinder Gupta, J

Heard.

Notice of motion.

On asking of the court, Mr. Vikramjit Singh, Addl. A.G, Haryana, who is present in the court accepts notice and submits that intimation by Registry informing of fixation of the petition has already been received and record of the case is available with him.

Learned counsel for petitioner argues that in the entire conspiracy relating to the murder of four persons, namely, Mandeep, Deepak, Sudhir and Sandeep, the role of petitioner, as disclosed by accused Rahul alias Kana, was that after killing the above four persons, inside the office where they were called to celebrate new year party, the dead bodies were taken in car and on return, the petitioner along with her mother Krishna were found cleaning the blood etc. in the office. They also joined in cleaning the blood lying in gallery and office, but blood on the wall could not be erased. He argues that as per prosecution story the petitioner had no role in the entire conspiracy or the incident of killing above four persons.

Learned State counsel argues that there are 19 accused in this case, out of whom five have been declared as Proclaimed Offenders. The

challan has been presented in court. However, so far as evidence against petitioner is concerned, he submits that the police has recorded disclosure statement of Rahul alias Kana as per submissions of learned counsel for petitioner.

Keeping in view the above fact and that the petitioner was arrested on 3.1.2015 but without expressing any opinion on merit, this petition is allowed. The petitioner is order to be released on bail on furnishing bail bonds and surety bonds to the satisfaction of learned Trial Court/Chief Judicial Magistrate, Jhajjar subject to the following terms :-

“(i) The petitioner shall comply with the conditions mentioned in Section 437(3) Cr.P.C.

(ii) In the event of her absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn. The trial Court shall be competent to cancel her bail bond and surety bond and proceed to procure her presence in accordance with law. In that eventuality the petitioner shall have to apply for bail afresh before the trial Court.

(iii) She shall not leave the country without previous permission of the Court.”

(Surinder Gupta)
Judge

August 06 2015
deepak