

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Crl. Misc. No. M-27006 of 2015 (O&M)

DATE OF DECISION: 04.09.2015

Baljinder Kaur @ Babli

.....Petitioner

Versus

State of Haryana

.....Respondent

BEFORE:- HON'BLE MRS. JUSTICE DAYA CHAUDHARY

1. **Whether reporters of local newspaper may be allowed to see judgment?**
2. **To be referred to reporters or not?**
3. **Whether the judgment should be reported in the Digest?**

Present:- Mr. Naveen Jaglan, Advocate
for the petitioner.

Mr. Sharad K. Yadav, DAG, Haryana.

DAYA CHAUDHARY, J.

Crl. Misc. No. 28317 of 2015

This application has been filed for placing on record statements of PW-1 to PW-3 as Annexure P-5 (colly).

Application is allowed and Annexure P-5 (colly) is taken on record.

Crl. Misc. No. M-27006 of 2015

The present petition has been filed under Section 439 Cr.P.C. for the grant of regular bail to the petitioner in case FIR No. 68 dated 27.3.2015 registered under Section 307 IPC at Police Station Naraingarh, District Ambala.

Learned counsel for the petitioner contends that the petitioner

has falsely been implicated in this case at the instance of complainant-Sita Devi. Learned counsel further contends that PW-1 to PW-3, who are husband, Jeth and Jethani of the complainant (victim), respectively, have not even supported the case of the prosecution. Learned counsel also contends that out of total 17 prosecution witnesses, only five witnesses have been examined and trial will take long time to conclude . The petitioner is in custody since 28.3.2015 and no purpose would be served by keeping her in custody.

Learned counsel for the respondent-State has not disputed the custody period as well as the statements of PW-1 to PW-3 and the stage of the trial.

In view of the submissions made by learned counsel for the petitioner and keeping in view the fact that the statements of material witnesses have been recorded and they have not supported the case of the prosecution; the petitioner is in custody since 28.3.2015 and out of total 17 prosecution witnesses, only five have been examined so far, the present petition is allowed. Petitioner-Baljinder Kaur @ Babli is directed to be released on regular bail subject to her furnishing bail/surety bond to the satisfaction of trial Court.

September 04, 2015
pooja

(DAYA CHAUDHARY)
JUDGE