

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

CRM-M-27938-2015

Date of Decision: August 31, 2015.

KANTA @ NEETU

.....PETITIONER

VERSUS

STATE OF HARYANA

.....RESPONDENT

CORAM:- HON'BLE MR. JUSTICE M.M.S.BEDI

Present: Mr.Abhinav Gupta,Advocate
for the petitioner

Mr.Rahul Mohan,DAG, Haryana

Mr.Harinder Pal Singh Ishar, Advocate
for complainant.

M.M.S.BEDI, J.(Oral)

Petitioner seeks concession for regular bail in a case registered at the instance of complainant Arti Arora alleging that on 13.07.2015 while the complainant was coming in her car along with her driver, the petitioner driving a scooter intercepted the car and hit some pointed article against window bar of her car which was broken. The driver reversed the car while the petitioner allegedly came forward with a bottle containing acid type liquid and threw the same on the car and she ran away from the spot. The petitioner was arrested on next day. After police remand of one day she has been in custody w.e.f. 16.07.2015. The petitioner had also allegedly assaulted the complainant on earlier occasion in the District Court premises

in Sector 43, Chandigarh on 04.06.2015, when the matrimonial dispute of the petitioner with her husband was fixed before Mediation Centre.

The story of prosecution is to the effect that on account of matrimonial dispute of the petitioner with her husband who is allegedly having relations with the complainant had attacked the complainant and had thrown acid.

Counsel for the complainant intervenes to oppose the regular bail and submits that there is threat to the complainant that she would attack again as she has criminal bent of mind having involved in number of cases under Immoral Traffic Act 1952. She is also involved in another FIR.

Counsel for the petitioner submits that the petitioner has been acquitted in all the cases referred to by the complainant.

The matter was deferred to await the report of the chemical examiner regarding the liquid which was allegedly thrown on the car. The report received indicates that the liquid which was lifted from the spot had no smell and was water like substance on touching. On the basis of chemical testing in the laboratory it was found to be sulphuric acid.

I have considered all the facts and circumstances of the case. It is an admitted fact that it is a case of no injury having being received by the complainant on account of alleged acid attack. It is also interesting to note that the strength of sulphuric acid has not been decided for it being diluted or concentrate acid. It being an odourless liquid as is apparent from the physical properties of the liquid it will certainly be debatable if the liquid collected from the scene of the crime was sulphuric acid capable of causing injury. The attack of the acid depends upon its strength which appears to

have not been determined.

Without expression of any opinion on merit of the case and taking into consideration the period of detention of the petitioner which is more than one and half month, investigation being almost complete, this petition is allowed. Petitioner is ordered to be released on bail on her furnishing bail bonds/surety bonds to the satisfaction of the CJM, Panchkula subject to the condition that petitioner will not commit any act of assault especially qua the complainant during the entire period of trial. In case of any such eventuality, it will be open to the complainant or prosecution agency to approach this Court for cancellation of bail.

August 31, 2015.
TSG

(M.M.S.BEDI)
JUDGE