

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Crl. Misc. No. M- 34782 of 2015

Date of Decision:-05.11.2015

Chameli alias Maya

...Petitioner

Versus

State of Haryana

...Respondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present:- Mr. Vikas Kumar, Advocate for the petitioner.

Mr. Ashish Yadav, Addl. A.G. Haryana.

HARI PAL VERMA J.(Oral)

Prayer made in the present petition filed under Section 439 Cr.P.C. is for grant of regular bail to the petitioner in case FIR No.262, dated 05.09.2015, for offence under Sections 147, 149, 186, 353, 332, 307 and 506 IPC, registered at Police Station, Hathin, District-Palwal, during the pendency of trial.

Learned counsel for the petitioner contends that a bare perusal of the FIR shows that the name of the petitioner does not figure in it and the petitioner is in custody since 16.09.2015. He further submits that apart from the fact that challan has been presented in the case and the other co-accused, namely, Mahipal son of Shri Ganga, has already been admitted on bail by learned trial Court, vide its order dated 20.10.2015, but the petitioner was not admitted on bail by learned trial Court for the reason that the custody period of the petitioner is less.

Learned counsel for the State, on instructions from Sub Inspector Mohd. Illiyas, submits that the allegation against the petitioner is that she has caused injury on the head of Head Constable, namely, Ravinder. Moreover, the

attribution of injury is only on the basis of the disclosure statement of co-accused, namely. Nand Kishore.

I have heard learned counsel for the parties and have gone through the case file.

Considering the fact that the petitioner is not named in the FIR and also the fact that it is only on the basis of disclosure statement of Nand Kishore, the injury has been attributed to the petitioner, I deem it appropriate to grant regular bail to the petitioner.

Accordingly, the present petition is accepted and the petitioner is ordered to be released on regular bail, subject to her furnishing bail/surety bonds to the satisfaction of Chief Judicial Magistrate, Palwal.

It is however, made clear that expression made here-in-above shall not be construed as an expression on the merit of the case and the trial Court shall be at liberty to decide the case on the basis of available evidence.

(HARI PAL VERMA)
JUDGE

November 05, 2015
Anjal