

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

**Criminal Misc. No. M-36774 of 2015
Date of Decision:-04.11.2015**

Dayawati @ Daya

...Petitioner

Versus

State of Haryana

...Respondent

CORAM:- HON'BLE MR. JUSTICE HARI PAL VERMA

1. *Whether reporters of local newspapers 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. Bijender Dhankhar, Advocate
for the petitioner.

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

HARI PAL VERMA J.(Oral)

Prayer in this petition is for grant of regular bail to the petitioner in case FIR No.209 dated 10.6.2015, under Sections 147, 148, 302, 323, 427 and 506 IPC, registered at Police Station Murthal, Sonapat.

Learned counsel for the petitioner while referring to the statement of deceased Bimla Devi (Annexure P-1) made before the ASI, P.S. Murthal, on 10.6.2015, submits that in the said statement the deceased Bimla Devi has not attributed any injury to the petitioner. There was a family dispute between the daughter of the petitioner and the complainant's family and the petitioner has been named for this reason

only. The petitioner is a lady around 56 years of age.

Learned State counsel on instructions from ASI Jatinder Singh submits that even though no serious injury has been attributed to the petitioner, but the fact remains that the petitioner was a member of an unlawful assembly, which had given injuries to deceased Bimla Devi, resulting into her death. There were four other injured also.

Heard.

Considering the fact that the petitioner is a lady around 56 years of age and initially the FIR was registered under Sections 147, 148, 323, 506, 427 IPC for the incident, which occurred on 10.6.2015, but as the deceased Bimla Devi had died on 15.6.2015, Section 302 IPC was added, there is no injury, which is serious in nature, has been attributed to the petitioner.

Accordingly, the present petition is accepted and the petitioner is admitted to regular bail on furnishing of his bail bonds and surety bonds subject to satisfaction of the Chief Judicial Magistrate, Sonapat.

The present petition is disposed of accordingly.

However, it is made clear that the observations made herein above shall not construed any expression on the merits of the case and the trial Court shall decide the case on the basis of available evidence on record.

November 04, 2015
Vijay Asija

(HARI PAL VERMA)
JUDGE