

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

Crl. Misc. No.M-38052 of 2014 (O&M)

Date of Decision: 30.01.2015

Pinki w/o Sh. Ram Raj

....Petitioner

Versus

State of Haryana

....Respondent

BEFORE :- HON'BLE MRS. JUSTICE DAYA CHAUDHARY

Present:- Mr. A.D.S. Jattana, Advocate
for the petitioner.

Mr. Munish Sharma, A.A.G., Haryana
for the respondent-State.

DAYA CHAUDHARY, J. (ORAL)

Crl. Misc.No.3216 of 2015

This is an application for placing on record Annexure P-4.

Criminal Misc. Application is allowed and Annexure P-4 is
taken on record.

Crl. Misc. No.M-38052 of 2014

This petition has been filed under Section 439 Cr.P.C for grant
of regular bail to the petitioner in case FIR No.115 dated 03.03.2013
registered under Sections 302/201/120-B/34 IPC at Police Station
Assandh, Karnal.

Learned counsel for the petitioner submits that the petitioner
has falsely been implicated in the case, whereas, the dead body of the
deceased was found in the neighbourhood of the petitioner and it was a
case of blind murder. Learned counsel further submits that the petitioner
was arrested after a delay of six months and the only allegation, which has
come in the extra judicial confession, was that the petitioner was having
illicit relations with the deceased and because of that reason, she was

involved in the commission of offence along with co-accused, who is her husband and brother-in-law. Learned counsel also submits that even in the final report, no connecting evidence is there and no recovery, whatsoever, has been made which connects the petitioner in the commission of offence. All material witnesses have been examined except the Investigating Officer and for that, there is no possibility of influencing him also. The petitioner is in custody since 06.08.2013. Learned counsel also submits that the petitioner is a young woman of approximately 25-26 years of age and is having four children. No purpose would be served, in case, the petitioner is kept in custody. He further submits that two other family members of the petitioner are also in custody. Learned counsel also submits that there are total 33 witnesses and only 17 witnesses have been examined so far and trial will take some time to conclude. He also submits that there is no other member in the family to look after the small children.

Learned State counsel has not disputed the custody period as well as examination of witnesses but opposes the bail to the petitioner.

Keeping in view the submissions made by learned counsel for the petitioner and keeping in view the age of the petitioner and interest of minor children and also the fact that the petitioner is in custody since 06.08.2013; the allegations in the FIR are matter of evidence, which can be seen during trial; nothing has been produced to show the connecting evidence if the allegations in the FIR are considered at this stage, the petition is allowed and the petitioner is directed to be released on regular bail on her furnishing bail/surety bonds to the satisfaction of the trial Court.

30.01.2015
gurpreet

(DAYA CHAUDHARY)
JUDGE