

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

Crl.Misc.No.M-38308 of 2014(O&M)

Date of Decision : 09.04.2015

Anita

....Petitioners

Versus

State of Haryana

...Respondent

CORAM : HON'BLE MR.JUSTICE MAHESH GROVER

Present : Mr. Surinder Gandhi, Advocate for the petitioner

Mr.Pawan Girdhar, Addl. AG, Haryana with
Mr. Himmat Singh, AAG, Haryana

MAHESH GROVER, J.

The petitioner prays for grant of regular bail in terms of Section 439 Cr.P.C in case FIR no. 39 dated 20.2.2013 registered under Sections 148, 149, 302, 120-B IPC at Police Station, Sampla, District Rohtak.

According to the allegations set out by the prosecution the petitioner alongwith other family members had caused the death of one Mohit Kumar who allegedly was facing trial on account of abduction of the petitioner's daughter.

The petitioner is in custody since 1.11.2013. Initially she was declared proclaimed offender but surrendered on her own. It is contended by the learned counsel for the petitioner that no witness has been examined so far and the petitioner's role is attributed only to conspiracy in causing the death of the deceased which fact is not controverted by the respondents on instructions from Satbir Singh, ASI who further states that the entire family had murdered the said Mohit Kumar on account of his having abducted the

daughter of the petitioner sullyng the family's honour.

On due consideration of the matter and noticing the fact that the petitioner is in custody since November, 2013 and no witness has been examined so far as also the fact that the petitioner's role is confined only to conspiracy with no overt act attributed to her, instant petition is accepted. It is directed that the petitioner be released on bail in terms of Section 439 Cr.P.C. Bail to the satisfaction of learned Trial Court.

Nothing said herein shall be construed to be an expression on the merits of the case.

April 09, 2015
rekha

(Mahesh Grover)
Judge