

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M No. 39668 of 2015
Date of decision:30.11.2015

Neetu

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MRS. JUSTICE DAYA CHAUDHARY

1. Whether Reporters of local papers may be allowed to see the judgment? Yes/No
2. To be referred to the Reporters or not? Yes/No
3. Whether the judgment should be reported in the Digest? Yes/No

Present: Mr. Deep Karan Dalal, Advocate,
for the petitioner.

Mr. Vikas Malik, DAG, Haryana
for the respondent-State

DAYA CHAUDHARY, J. (ORAL)

This petition has been filed under Section 439 Cr.P.C for grant of regular bail to the petitioner in case FIR No.879 dated 23.09.2015 registered under Sections 148,149,307 IPC and Section 25,54,59 of Arms Act at Police Station Sadar, District Gurgaon.

Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the case, whereas she was not involved in any manner. Only the name of the petitioner has been mentioned but no overt act has been attributed to her. The petitioner has also lodged a complaint against one Tejpal, the husband of injured Krishna but he was acquitted of the charges by the trial Court. The complainant party was having grudge against the petitioner and due to that reason the petitioner and her family members have been implicated in the case. Learned counsel also submits that injured has been discharged from the hospital. The

petitioner is a young lady of 21 years of age and is still un-married. In case she is kept in custody, it would affect her matrimonial prospects. The allegation of Section 307 IPC are attributed to co-accused namely, Moninder, who is brother of the petitioner and is behind the bars.

Learned State counsel has not disputed the allegation of Section 307 IPC being attributed to co-accused Moninder. He has also not disputed the role of the petitioner but opposes grant of bail to the petitioner in view of the seriousness of the offence as the individual is not to be seen in case offence under Sections 148 & 149 IPC.

Heard learned counsel for the parties and perused the allegations in the FIR.

In view of the submission made by learned counsel for the petitioner and the fact that only the name of the petitioner is mentioned in the FIR but no overt act has been attributed to her; the injured has been discharged from the hospital; the petitioner is a young lady of 21 years of age and is also unmarried and she is in custody for the last more than two months, the present petition is allowed. Petitioner, namely, Neetu is directed to be released on regular bail subject to her furnishing bail/surety bonds to the satisfaction of trial Court.

30.11.2015

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**(DAYA CHAUDHARY)
JUDGE**