

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

CRM-M No.40807 of 2015

Date of Decision:-08.12.2015

Palo & Anr.

.....Petitioners.

Versus

State of Haryana.

.....Respondent.

CORAM:- HON'BLE MR. JUSTICE JASWANT SINGH

Present:- Mr. S.K. Garg Narwana, Senior Advocate assisted by
Mr. Teevar Sharma, Advocate for the Petitioners.

Mr. Satish Saini, DAG Haryana.

Mr. Vishavdeep Singh Rana, Advocate for the Complainant.

JASWANT SINGH, J (ORAL)

Prayer is under Section 439 Cr.PC for grant of regular bail to the petitioners namely Palo and Bimla in case FIR No.114 dated 02.07.2015 for offences punishable under Sections 323, 324, 302, 506, 148, 149 of Indian Penal Code registered with Police Station Guhla, District Kaithal.

There is a dispute between the co-laterals over the blockage of passage in the field by the accused party. The injured-complainant Suresh has lodged the FIR for the murder of his father named Balkar Singh. It is alleged that accused Pola along with his co-accused son Major and Nephew Rajbir as also the two present petitioners, who are widowed *Bhabies* of Pola

armed with *Gandasi* and *Dandas* inflicted injuries on the deceased Balkar and the injured complainant.

It is contended that both the Petitioners are widows and even as per the allegations, they are alleged to have been armed with *Dandas*. It is further submitted that they are in custody since 05.08.2015 and 09.08.2015 respectively and after the completion of investigation challan has been presented. He further submits that due to the dispute petitioners- ladies have been falsely implicated. It is further submitted that as per the post mortem report two injuries on the head and only one injury with a *danda* on the right elbow have been found on the deceased apart from two sharp injuries on the head of the complainant. It is further submitted that except the general allegations of inflicting injuries no specific injury has been attributed to both the Petitioners.

Learned State Counsel on instructions from ASI Roshan Lal does not refute the contentions regarding the injuries and also regarding the custody period and that the challan has been presented.

Without commenting on the merits of the case, keeping in view the fact that petitioners being widowed ladies and their custody period, this Court finds that petitioners-accused deserves the concession of regular bail and as such they are ordered to be released on bail to the satisfaction of learned CJM/Duty Magistrate, Kaithal.

Petition stands disposed of.

(JASWANT SINGH)
JUDGE

December 08, 2015
Vinay