

IN THE PUNJAB & HARYANA HIGH COURT AT CHANDIGARH

CRM-M-42671-2014(O&M)

Date of decision : 20.01.2015

Omwati

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MRS. JUSTICE REKHA MITTAL

Present: Mr.Akashdeep Singh, Advocate
for the petitioner.

REKHA MITTAL, J.(ORAL)

CRM-1152-2015

Allowed as prayed for.

Vernacular copy of FIR is taken on record.

CRM-M-42671-2014

Notice of motion.

Ms.Neelam Kashyap, DAG, Haryana accepts notice on behalf
of the State of Haryana.

Counsel for the petitioner inter alia contends that the injury(s)
constituting offence under Section 307 IPC is not attributed to the present
petitioner. She has been attributed the role of causing injuries to women of
the family of the complainant and as per medico legal report of Smt.Ram
Piari, the injury is simple in nature. The petitioner is in custody since
06.11.2014 and no longer required for the purpose of investigation. All the
persons arraigned as accused are statedly arrested and behind the bars.

Counsel for the State has not disputed factual assertions but opposed the prayer with the submissions that one of the injured-victim Ramphool has sustained serious injuries and is lying unconscious.

I have heard counsel for the parties and perused the records.

The petitioner has not been attributed any injury to victim Ramphool and as per allegations in the FIR, Ramphool was given injuries by the male accused indicted in the crime. The challan has already been presented in the Court and conclusion of trial is likely to take its own time. There is no such allegation that the petitioner is likely to flee from process of justice in case enlarged on bail. The law is more liberal in regard to grant of bail to a woman.

Without meaning to express any opinion on the merits of the controversy, bail to the petitioner subject to her furnishing bail bonds to the satisfaction of trial Court. However, she shall remain bound by the following conditions:-

- (i) she shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him/her from disclosing such facts to the Court or to any police officer; and
- (ii) she shall not leave India without the previous permission of the Court.

(REKHA MITTAL)
JUDGE

January 20, 2015.

DK