

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

CRL. MISC. No.M-11824 OF 2016
DATE OF DECISION : 14TH JULY, 2016

Moni @ Jebuna

.... Petitioner

Versus

State of Haryana

.... Respondent

CORAM : HON'BLE MR. JUSTICE A. B. CHAUDHARI

* * * *

Present : Mr. Jagmohan S. Ghummn, Advocate for the petitioner.

Ms. Tanu Shree Gupta, DAG, Haryana.

Mr. Joraver Singh, Advocate for
Mr. N. S. Shekhawat, Advocate for the complaint.

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A. B. CHAUDHARI, J. (ORAL)

The petitioner has filed the present petition under Section 439 Cr.P.C. seeking bail in FIR No.316 dated 30.08.2015 registered under Sections 148, 149, 323, 341, 302 and 506 IPC at Police Station Tauru, District Mewat.

Heard learned counsel for the rival parties.

The petitioner-woman was arrested on 03.09.2016 and is in jail since then. Learned counsel for the petitioner submits that she has by now delivered a child who is of six months and she had gone to jail along with child of 18 months.

Upon hearing learned State counsel and counsel for the complainant, I find that except for the allegation that she has called her

parents and others and that she was present at the time when her husband was being assaulted with sticks and shoes. There is no overt act on her part to suggest any complicity in the serious offence of murder.

Under Section 439 Cr.P.C., the petitioner being woman, is entitled to special treatment, particularly because she is having two children with her in jail. In that view of the matter, I make the following order:

ORDER

- (i) The petition is allowed
- (ii) The petitioner be released on bail to the satisfaction of the concerned Trial Court.

14TH JULY, 2016
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(A. B. CHAUDHARI)
JUDGE