

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

222

**CRM-M-21045-2016(O&M)
Date of Decision: July 15, 2016**

RAMESH @ RACHNA

.....PETITIONER

VERSUS

STATE OF HARYANA

.....RESPONDENT

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

Present: Mr.Manish Soni, Advocate for the petitioner.

Mr.D.R.Singla, DAG, Haryana.

Mr.Vikas Singla, Advocate for the complainant.

A.B. CHAUDHARI, J.(Oral)

CRM 20680 OF 2016

Criminal miscellaneous application allowed as prayed for.

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Heard learned counsel for the rival parties and perused the FIR in question, namely, FIR No.487 dated 25.7.2015, registered under Sections 148, 302, 201, 435, 365 and 120-B IPC at Police Station Sadar Palwal District Palwal.

The petitioner was arrested in aforesaid FIR on 13.9.2015. Admittedly, the petitioner has not been named in the FIR. Learned State counsel as well as learned counsel for the complainant strenuously and vehemently contended that the petitioner is a conspirator in the offence in question and, therefore, she can not be released on bail. They have shown the evidence namely the call record transcript.

I have seen the transcript of the call records. But I do not find any overt act as such for the alleged offence of commission of murder.

There is no direct evidence against the petitioner. She is a woman. The

only evidence and the allegation against her is that she being a member of

gang for hatching the conspiracy. The evidence regarding call record etc., obviously can not be tampered with. Now the charge sheet has been filed. The petitioner being a woman is entitled to the benefit of the Section 437 Code of Criminal Procedure and therefore in the absence of any criminal antecedents, this Court is inclined to allow the petition for bail.

In that view of the matter, the petitioner is ordered to be released on bail to the satisfaction of learned Trial Court.

July 15, 2016
TSG

(A.B. CHAUDHARI)
JUDGE