

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

**CRL. MISC. No.M-32308 OF 2016
DATE OF DECISION : 16th SEPTEMBER, 2016**

Rita Devi

.... Petitioner

Versus

State of Haryana

.... Respondent

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

* * * *

Present : Mr. Rahul Jaswal, Advocate for the petitioner.

Mr. Karan Sharma, AAG, Haryana.

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A. B. CHAUDHARI, J. (ORAL)

The petitioners have filed the present petition under Section 439 Cr.P.C. seeking bail in FIR No.392 dated 06.04.2016 registered under Section 489(B) IPC at Police Station Panipat City.

Heard learned counsel for the rival parties.

The petitioner was arrested on 07.04.2016 and since then she is in jail. Admittedly, the challan has been filed. Undoubtedly, the offence under Section 498(B) is a serious offence but in view of the fact that the offence is triable by the Magistrate and will take its time. Apart from the fact that there is no previous criminal antecedent of the similar nature against the petitioner, coupled with the further fact that the petitioner being woman would be entitled to benefit of Section 437 Cr.P.C., *prima facie* case is made out for grant of bail to the petitioner.

In that view of the matter, the bail petition is allowed.

Petitioners be released on bail subject to the terms and conditions as may

be fixed by the learned Chief Judicial Magistrate/Duty Magistrate concerned.

16th SEPTEMBER, 2016
'raj'

(A. B. CHAUDHARI)
JUDGE

Whether speaking/reasoned	:	Yes	No
Whether Reportable	:	Yes	No.