

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

Date of decision:29.03.2016

Raj Rani

.....Petitioner

v.

State of Haryana

.....Respondent

CORAM: HON'BLE MR.JUSTICE JASWANT SINGH

Present:- Mr.Radhe Shyam Sharma,Advocate for the petitioner

Mr.Gaurav Dhir,DAG Haryana assisted by
ASI Mohan Lal

Mr.Amit Chaudhary,Advocate for the complainant

Jaswant Singh,J.(Oral)

Prayer is for grant of anticipatory bail on behalf of accused

Raj Rani.

On the last date of hearing i.e. 2.3.2016 the following order
was passed:-

*“Prayer is for grant of anticipatory
bail on behalf of accused Raj Rani in case FIR
No.499 dated 14.10.2015 under Section
302/34 IPC, PS Bhuna, Distt.Fatehabad.*

*On 14.10.2015 at around 5 pm a
dispute occurred between Hukam Chand i.e.
father of the complainant Raj Kumar and*

family of the accused co-accused Ram Chander over entering of Ox of Ram Chander into the fields of Hukam Chand. Non-applicant co-accused Ram Chander is alleged to have inflicted brick blows on the mouth, chest and left hand thumb of Hukam Chand whereas present accused wife of Ram Chander and their two daughters are alleged to have give fist and kick blows to Hukam Chand resulting into his death.

It is contended that deceased Hukam Chand was 70 years old and as per his post mortem report only an abrasion 1 cm x 0.2 cm was found. The cause of death has not been opined waiting for viscera report by Chemical Examiner. It is further contended that eye witness account does not correspond with the medical evidence indicating that the alleged eye witness account of the complainant is false. It is lastly contended that petitioner is 45 years old housewife and her name has been unnecessarily roped in.

Notice of motion for 29.3.2016.

Till the next date in the event of arrest, the petitioner shall be released on bail on furnishing adequate bail and surety bonds to the satisfaction of the Arresting/Investigating Officer/Trial Court. Petitioner shall appear before the I.O., as and when called upon for investigation and shall also be bound by all the conditions stipulated

in Section 438(2) Cr.P.C.

To be shown in the urgent list.”

At the time of hearing today, learned counsel for the petitioner contends that after investigation the co-accused daughters of the present petitioner and the main accused Ram Chander, have since been found innocent. He further submits that as per post mortem report only one injury on the hand has been found and cause of death has yet not been ascertained. He further submits that main accused Ram Chander, husband of the present petitioner, has been arrested and as per his disclosure statement he was alone at the time of fight with deceased Hukam Chand in the fields.

It is further submitted that petitioner has already joined investigation and her custodial interrogation is no longer required.

Learned State counsel on instructions from ASI Mohan Lal and counsel for the complainant are unable to refute the aforesaid factual position. Learned State counsel further submits that petitioner has joined investigation and her custodial investigation is no longer required.

In view of the above, the interim protection granted vide order dated 2.3.2016 is made absolute.

Disposed of.

29.03.2016
joshi

(Jaswant Singh)
Judge