

In the High Court of Punjab and Haryana at Chandigarh

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Criminal Misc. No.M-16261 of 2017 (O&M)

.....

Date of decision:15.5.2017

Memwati

...Petitioner

v.

State of Haryana

...Respondent

....

Coram: Hon'ble Mr. Justice Inderjit Singh

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Present: Mr. Ashit Malik, Advocate for the petitioner.

Mr. B.S. Virk, Deputy Advocate General, Haryana
for the respondent-State.

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Inderjit Singh, J.

The petitioner has filed this petition under Section 439 Cr.P.C. for grant of regular bail in case FIR No.824 dated 1.11.2016 registered for the offences under Sections 302, 120-B IPC read with Section 34 IPC and Section 25 of the Arms Act at Police Station Sector 55, Faridabad, District Faridabad.

Notice of motion to Advocate General, Haryana.

Mr. B.S. Virk, learned Deputy Advocate General, Haryana has put in appearance on behalf of the respondent-State and contested this petition.

I have heard learned counsel for the petitioner and learned State counsel and have gone through the record.

From the record, I find that the FIR in the present case has been got registered on the statement of Ghanshyam. As per the allegations, on 1.11.2016 at about 2.30 a.m., the complainant, his brother-in-law (Jija) Jagat and his son Jai Kishan were sleeping in their courtyard on separate cots when his wife Ombati awoke him and said that some persons were outside. He opened the gate and alone went out whereas his brother-in-law Jagat took a torch and climbed the stairs. When the complainant reached the fields, then three unknown boys encircled him and scuffled with him and started beating him. When Jagat tried to come to him by climbing over the wall, at that time, a sound of gun fire was heard from inside the house and the fourth boy came out of the house. All the four boys tried to run away. They chased them to catch hold of them, but they fired twice and they got scared and stopped. All the four unknown boys went to the pavement adjoining the drain and went away towards Bhanakpur on motorcycle. On returning to home, the complainant and his brother-in-law found that complainant's father Dhan Singh, aged 85 years, had suffered gun shot injury on his chin and he died due to that injury.

The allegation as per prosecution version is that the boys at the instance of the present petitioner, who is widow daughter-in-law of the deceased, got committed the murder.

Keeping in view the serious allegations against the petitioner and further in view of the fact that the case is at preliminary stage and even charges are not framed yet and there is every apprehension that if the petitioner is released on bail, she may tamper with evidence, I do not find it

a fit case where the present petitioner is entitled to the benefit of regular bail.

Therefore, finding no merit in this petition, the same is dismissed.

May 15, 2017.

(Inderjit Singh)
Judge

hsp

NOTE:	Whether speaking/reasoned:	Yes
	Whether reportable:	No