

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

**CRM-M-15620-2018
Date of decision: 26.04.2018**

Amarjit Kaur

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: Mr. P.S.Sullar, Advocate,
for the petitioner.

Ms. Gaganpreet Kaur, AAG, Haryana.

JAISHREE THAKUR, J. (ORAL)

This is a petition that has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No. 111 dated 18.05.2017 under Sections 304-B/34 IPC, registered at Police Station Mullana, District Ambala.

It is contended by learned counsel for the petitioner that the petitioner has falsely been implicated in the present case and he has been in custody since 19.05.2017. Learned counsel for the petitioner also relies upon the post mortem report which clearly indicates that there were no external injuries present on the body of the deceased, however, it was alleged in the FIR that she was beaten up before administering poison to her. It is also submitted that the petitioner should be enlarged on regular bail keeping in view the above facts and the trial is likely to take some time and further co-accused has already been allowed regular bail by order dated 02.04.2018. He further submits that in the meantime the complainant has

been examined by the trial Court.

Ms. Gaganpreet Kaur, learned AAG, Haryana appearing on behalf of the respondent-opposes the grant of regular bail, however, is not in a position to rebut the fact that the statement of the complainant has been recorded or that co-accused has been allowed regular bail by this Court.

I have heard learned counsel for the parties and in view of the fact that the petitioner herein has been in custody since 19.05.2017; the trial is likely to take some time to conclude; the co-accused has already been enlarged on regular bail; that the statement of the complainant has already been recorded, without expressing any opinion on merits of the case, the present petition is allowed. Petitioner is ordered to be released on regular bail on furnishing bail bonds and surety bonds to the satisfaction of Chief Judicial Magistrate/Duty Magistrate, concerned subject to following terms:-

- (i) The petitioner shall comply with the conditions mentioned in Section 437(3) Cr.P.C.
- (ii) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn. The trial Court shall be competent to cancel his bail bond and surety bond and proceed to procure his presence in accordance with law. In that eventuality the accused shall have to apply for bail afresh before the trial Court.
- (iii) He shall not leave the country without the previous permission of the Court.

26.04.2018

Satyawan

Whether speaking/reasoned

Whether reportable

(JAISHREE THAKUR)
JUDGE

Yes.

No.