

216

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M No.1792 of 2018
Date of Decision: 23.01.2018

Soniya @ Riya @ Vibha

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present: Mr. Abhinav Sood, Advocate,
for the petitioner.

Mr. Manish Bansal, D.A.G., Haryana.

SUDIP AHLUWALIA, J. (ORAL)

In this petition, the petitioner seeks her release on regular bail in F.I.R. No.663, dated 06.11.2017, under Sections 384 and 506 of the Indian Penal Code (Sections 387, 389, 365, 342, 120-B and 34 of the Indian Penal Code were added later on) and Section 25 of the Arms Act, registered at Police Station Hodal, District Palwal.

2. The petitioner was arrested on 07.12.2017.

3. Perused the F.I.R.

4. There is no whisper whatsoever of the petitioner's involvement in the alleged offence anywhere.

5. It, however, transpires that four weeks later, the complainant gave a separate statement under Section 164 of the Code of Criminal Procedure, in which altogether new allegations indicating involvement of the petitioner have been made. It is not that the facts constituting the subsequent allegations were not in the knowledge of the complainant at the time of the F.I.R.

6. As such, without commenting on the merits of the case any further and in view of the long detention undergone by the petitioner, who is a woman, the present petition is allowed and the petitioner, namely Soniya @ Riya @ Vibha wife of Sunny Kumar, is directed to be released on regular bail subject to appropriate terms and conditions to the satisfaction of the Ld. Trial Court/Illaqa Magistrate, concerned.

23.01.2018
Apurva

(SUDIP AHLUWALIA)
JUDGE

1. Whether speaking/ reasoned : Yes/ No
2. Whether reportable : Yes/ No