

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

CRM-M-37671-2018
Date of decision: 10.10.2018

Manju

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. Deepak Chaudhary, Advocate
for the petitioner.

Mr. Himmat Singh, DAG, Haryana.

ARVIND SINGH SANGWAN, J. (Oral)

This petition has been filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No. 103 dated 24.03.2018, registered under Sections 323, 452, 307, 506 and 34 of the IPC at Police Station Sadar Fatehabad, District Fatehabad.

Learned counsel for the petitioner submits that the FIR was registered on the instance of the petitioner and later on, the police during investigation arrayed the petitioner herself as an accused on the premise that there was evidence that petitioner and co-accused Sita Ram have caused injuries to petitioner's husband Subhash Bishnoi.

Learned counsel for the petitioner further submits that during investigation the police has even found co-accused Krishan Kumar to be innocent and, therefore, it is to be decided during the course of trial as to whether the petitioner had any role in the present incident or not as she was the complainant in the present FIR.

Learned counsel for the petitioner further submits that the

petitioner is a lady and a labourer; has two minor children and she is not involved in any other case. It is also submitted that challan stands presented and the case is now fixed for prosecution evidence, hence, it will take a long time in conclusion of the trial.

Learned State counsel, on instructions from ASI Mohinder Singh, has not disputed the aforesaid facts and submits that only one prosecution witness has been examined so far.

I have heard learned counsel for the parties.

Without commenting upon the merits of the case, considering the facts that petitioner is in custody since 31.03.2018; not involved in any other case and being a mother of two minor children, she has to take care of her children, the instant petition is allowed. The petitioner is ordered to be released on regular bail on her furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

October 10, 2018

Waseem Ansari

**(ARVIND SINGH SANGWAN)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No