

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

230

**CRM-M-42760-2018 (O&M)
Date of Decision : 03.10.2018**

Geeta

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE P.B.BAJANTHRI

Present: Mr. Vaibhav Mittal, Advocate for the petitioner.

Mr. Munish Sharma, AAG, Haryana.

P.B. BAJANTHRI, J.(ORAL)

In the instant petition, petitioner has sought for regular bail under the provision of Section 439 Cr.P.C. in case FIR No.163 dated 04.06.2018, under Sections 148, 149, 302, 323 IPC and 307 of IPC (added later on) registered at Police Station Civil Line, Sonipat, Haryana.

2. Learned counsel for the petitioner submitted that general allegations are relating to throwing of bricks on the deceased. Therefore, there is no specific allegation attributed against the petitioner so as to implicate petitioner with reference to Sections 302, 307 IPC. Hence she is entitled for regular bail.

3. Per contra, learned State counsel while resisting learned counsel for the petitioner's contention submitted that one Banti gave a wooden blow carrying in his hand upon head of the deceased. Further it was submitted that one of the grievance of causing injury on the deceased person is with reference to throwing of brick. Challan has been filed and the matter

is at the stage of framing of charge-sheet.

4. Heard the learned counsel for the parties.
5. Perusal of the FIR there is no specific and pin-point allegation against the petitioner insofar as throwing brick on the deceased person. On the other hand, other than Banti there were more than one person. That apart, petitioner is a lady and she has to look after her children. In view of the submissions of learned counsel for the petitioner and disposal of the trial will take sufficient time, I deem it appropriate to grant the concession of regular bail to the petitioner.
6. Therefore, without expressing any opinion on the merits of the case, the instant petition is allowed. Petitioner-Geeta is ordered to be released on regular bail on her furnishing bonds to the satisfaction of trial Court/Duty Magistrate/Chief Judicial Magistrate concerned.
7. However, the petitioner shall not in any way indulge in any criminal activities and she shall also not influence the witnesses or otherwise interfere with the fair trial.
8. Petition stands allowed.

03.10.2018

pooja saini

(P.B.BAJANTHRI)
JUDGE

Whether speaking/reasoned?

Yes/ No

Whether reportable?

Yes / No