

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

CRM-M-47409 of 2018 (O&M)
Date of Decision:-2.11.2018

Kamla

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Rakesh Nehra, Advocate for the petitioner.

Mr. Ashok Singh Choudhary, Addl. Advocate General, Haryana.

Mr. Ajit Sihag, Advocate for the complainant.

GURVINDER SINGH GILL, J. (Oral)

The petitioner seeks grant of regular bail in a case registered vide FIR No.264 dated 21.7.2018 under Section 307, 323 and 506 read with Section 34 of Indian Penal Code, 1860 registered at Police Station Badhra, District Charkhi Dadri.

The FIR was lodged at the instance of Bijender who alleged that on 19.7.2018, when he was working in his fields, accused Rameshwar and Satya Parkash caught hold his hands; and Om Parkash with an intention to kill him gave *jaily* blow on his chest. Thereafter, Kamla, wife of accused Rameshwar, armed with 'axe' and Mukesh, wife of accused Satya Parkash, armed with '*daranti*' also came there. All the assailants fled away from the spot on seeing other persons.

The learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in the present case and that she is a

lady aged 70 years and in any case she has not inflicted any injury and the solitary injury sustained by the injured-complainant was inflicted by co-accused Om Parkash.

On the other hand learned State counsel assisted by counsel for the complainant has submitted that since all the accused had joined hands and that the petitioner is specifically named in the FIR, no case for grant of bail is made out. The learned State counsel has informed that challan has already been presented, although no prosecution witness examined so far.

Having regard to the facts and circumstances of the case and that the petitioner is a lady aged 70 years and also that till date not even a single prosecution witness has been examined, in my opinion, no useful purpose would be served by further detaining the petitioner behind bars. Accordingly, petitioner- Kamla is ordered to be released on regular bail on her furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate Charkhi Dadri.

The petition stands accepted accordingly.

2.11.2018
kamal

(GURVINDER SINGH GILL)
JUDGE

Whether reasoned / speaking?	Yes / No
Whether reportable?	Yes / No