

222-A

CRM-M No.4907 of 2018

DATE OF DECISION:24.05.2018

Sudesh

...Petitioner

Vs.

State of Haryana

..Respondent

CORAM:- HON'BLE MRS. JUSTICE DAYA CHAUDHARY

Present: Mr. Manoj Tanwar, Advocate
for the petitioner.

Mr. Tanuj Sharma, AAG, Haryana.

DAYA CHAUDHARY, J.(ORAL)

Through the present petition filed under Section 439 Cr. P.C., the petitioner seeks regular bail in case FIR No.1082, dated 18.10.2016, registered under Sections 148, 149, 302, 307, 120-B, 216 IPC and 25 of the Arms Act at Police Station City Gurugram, District Gurugram, Haryana (Annexure P-1).

Learned counsel for the petitioner submits that petitioner has falsely been implicated in the case only on the basis of statement of complainant Karan Singh. She has been implicated being sister of co-accused Sandeep who was killed by Gurugram Police in a fake encounter at Mumbai on 07.02.2016. Learned counsel also submits that there is no connecting evidence to show the involvement of the petitioner. Investigation has been completed and nothing is to be recovered from the petitioner. Not only the challan has been presented but charges have also

been framed. Petitioner is in custody since 19.09.2017 and no purpose would be served by keeping her in custody.

Learned State counsel has opposed the submissions made by learned counsel for the petitioner on the ground of seriousness of offence and also on the ground that petitioner was part of complaint.

Heard arguments of learned counsel for the petitioner as well as learned State counsel and have also perused the contents of the FIR.

Undisputedly, the petitioner has been implicated on the basis of disclosure statement made by co-accused and main accused is in custody. Petitioner is in custody since 19.09.2017. She is also stated to be suffering from Kidney Stone and photocopy issued by District Civil Hospital, Gurugram has been shown while arguing the case by learned counsel for the petitioner. Learned counsel for the petitioner submits that petitioner undertakes to appear on each and every date before the trial Court and also undertakes not to put pressure upon the witnesses or influence them.

Keeping in view the submission and facts as mentioned above, the petition is allowed. The petitioner is directed to be released on regular bail on furnishing bail/surety bonds to the satisfaction of the trial Court.

24.05.2018
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(DAYA CHAUDHARY)
JUDGE

Whether speaking/reasoned: Yes/No
Whether reportable: Yes/No