

IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH

CRM-M-49755-2017 (O&M)  
Date of decision: 12.01.2018

**Surajmukhi**

**... Petitioner**

**Vs.**

**State of Haryana**

**... Respondent**

**CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN**

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

Ms. Harpreet Kaur, AAG, Haryana.

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**ARVIND SINGH SANGWAN, J. (ORAL)**

Prayer in this petition is for grant of regular bail in FIR No.197 dated 09.08.2017 under Section 302 IPC, registered at Police Station Badhra, District Charkhi Dadri.

Learned counsel for the petitioner submits that as per the allegations levelled in the FIR, two eye witnesses i.e. Ranbir son of Subha Chand and Sandeep son of Ramesh have not supported the prosecution version. Counsel for the petitioner has drawn attention to the statement of PW3 Ranbir, where in examination-in-chief, he stated that 2-3 persons with muffled face were giving beatings to their brother Sukhbir with lathis and dandas. Petitioner Surajmukhi and her daughter Mamta were present in the house and he along with other witnesses took them out from the room after opening the bolt. Similar is the statement of PW4 Sandeep Kumar, another eye-witness. It is thus submitted on behalf of the petitioner that none of the eye-witnesses has

supported the prosecution version and rather stated that injuries to deceased Sukhbir were caused by 2-3 muffled persons and not the petitioner. Counsel for the petitioner further submits that the petitioner is wife of deceased Sukhbir and there is no motive attributed to her for causing alleged injuries, resulting into death of Sukhbir. Counsel for the petitioner has further submitted that the petitioner has three minor children aged about 14 years, 12 years and 9 years and there is no person to look after them.

Learned State counsel, on instructions from HC Pardeep Kumar, has however opposed the prayer for bail on the ground that the petitioner is named in the FIR.

Without commenting anything on merits of the case, considering the fact that both the eye-witnesses have not supported the prosecution version; no motive has been attributed to the petitioner and rather PWs have stated that they rescued her along with her daughter after opening the bolt of the room; the petitioner is a lady and she has to take care of her three minor children, this petition is allowed and the petitioner is directed to be released on bail subject to furnishing her bail/surety bond to the satisfaction of the trial Court/Illaq Magistrate.

Petition is disposed of.

**[ ARVIND SINGH SANGWAN ]**  
**JUDGE**

12.01.2018  
*vishnu*

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No