

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

CRM-M No.5511 of 2018

Date of decision: 19th February, 2018

Angoori Devi

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present: Mr. Kanwar Satbir Singh, Advocate for the petitioner.
Mr. P.K. Jangra, Addl. Advocate General, Haryana
for the respondent/State.

FATEH DEEP SINGH, J.

Allegations against the petitioner Angoori Devi in this second regular bail application under Section 439 Cr.P.C. in case got registered by way of an FIR bearing No.209 dated 24.04.2015 under Sections 302/34/120-B IPC and Section 25 of the Arms Act pertaining to Police Station City Bahadurgarh, District Jhajjar, are that around 05:30/05:45 p.m. on 24.04.2015 complainant Anand and Sanjay had taken the vehicle of deceased Sunil alias Sonu to Maruti workshop where they called the owner who came there along with his wife on his motorcycle. It is at that point of time, Jaggi, Bittu and Kala came in a car and threw chilly powder in the eyes of the persons and thereafter fired indiscriminately upon Sunil alias Sonu leading to his death.

Contentions of learned counsel for the petitioner are that the petitioner is an old lady and has been falsely implicated and is in custody since 30.04.2015 and that the trial is at a nascent stage and that the witnesses examined till date have not supported the prosecution story.

The bail application is strongly opposed by the learned State counsel on the grounds of seriousness of the allegations and heinousness of the offence, arguing that if allowed bail the petitioner would influence the witnesses and that in spite of being behind bars she has influenced them and therefore would circumvent the due process of law.

Going through the submissions, the main accusation though is against accused Jagdish alias Jaggi who has shot dead the deceased, however the allegations of the prosecution are that the petitioner along with co-accused have conspired together to commit this offence over their enmity and recovery of the alleged weapon of offence has already been effected from the co-accused, are matters of serious consequences. Keeping in view the allegations, the accused side has repeatedly fired at the deceased to ensure that he dies, shows what was at the back of the mind of the accused side and the motive behind this occurrence that the accused side suspected that the deceased used to do black magic on their cows which used to die and the factum of confession of the accused together with the fact that the principal witnesses PW1 Vinod and PW2 Raj Rani have resiled, rather bears out the apprehension of the learned State counsel that if allowed bail the petitioner would certainly influence

the remaining witnesses and which is not unfounded. In the light of seriousness of the allegations and heinousness of the offence does not calls for grant of bail and thus, the present petition stands dismissed.

(FATEH DEEP SINGH)
JUDGE

February 19, 2018
rps

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