

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-9556-2018

Date of decision:31.08.2018

Santosh @ Meena

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM : HON'BLE MR.JUSTICE GURVINDER SINGH GILL

Present: Mr. Prabhjeet Singh Sullar, Advocate
for the petitioner.

Mr. Ashok Singh Choudhary, Addl. A.G., Haryana.

GURVINDER SINGH GILL, J. (ORAL)

The petitioner seeks grant of regular bail in case registered vide FIR No.400 dated 31.10.2015 under Sections 302/34 of Indian Penal Code, 1860 registered with Police Station Sadar Jind, District Jind.

The FIR was registered at the instance of Zile Singh who alleged that on 30.10.2015 his son had left home at about 6:00 p.m. carrying his mobile but did not return back and that on the next day he received information that his son was lying dead in the ditches near Ahirka Bus Stand. Pursuant to the said information, the complainant

along with other members of his family went to the spot and found the dead body of his son Jai Singh which was bearing several injuries. The petitioner stated therein that he suspected his son had been murdered by Suresh, Harish, Happy and Virender as one year back the said persons had asked him to tell his son Jai Singh to mend his ways and had threatened him since they suspected that his son was having illicit relations with wife of Suresh.

Notice of the petition was issued to the respondent-State. Learned State counsel has opposed the petition and prayed for dismissal of the same.

Learned counsel for the petitioner has submitted that the petitioner is not named in the FIR and nor is there any allegations to the effect that she had participated in the alleged murder of Jai Singh. It is further been submitted that the petitioner being lady in any case deserves the concession of bail.

On the other hand the learned State counsel has submitted that during the course of interrogation co-accused Suresh Kumar had disclosed that present petitioner had hit the deceased with brick and that in these circumstances the complicity of the petitioner is evident.

Having regard to the abovesaid facts and circumstances and also in view of the fact that the peresent petitioner cannot be said to have any motive to have killed Jai Singh and also bearing in mind that the petitioner has been in custody since the last two and a half years, in my opinion, no fruitful purpose would be served by further detaining the petitioner behind bars. In any case, the petitioner being a lady, deserves a

lenient view to be taken. Accordingly, petitioner-Santosh @ Meena 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 Jind.

This petition stands accepted accordingly.

31.08.2018
Gaurav Sorot

(GURVINDER SINGH GILL)
JUDGE

Whether reasoned / speaking? **Yes / No**

Whether reportable? **Yes / No**