

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

212

CRM-M-57235 of 2018

Date of decision : 21.12.2018

Usha Rani

....Petitioner

V/s

State of Punjab

.... Respondent

CORAM : HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr.Jagmohan Bansal, Advocate
for the petitioner.

Mr.Harpreet Singh Multani, AAG, Punjab.

Harnaresh Singh Gill, J. (Oral)

The petitioner has filed the present petition under Section 439 Cr.P.C. seeking regular bail in FIR No.0091 of 2016 dated 25.07.2016, under Sections 302, 307, 447, 506, 511, 120-B, 148 & 149 IPC and Sections 25 and 27 of Arms Act, 1959 registered at Police Station, Dehlon, District Ludhiana.

As contended by learned counsel for the petitioner, on the complaint of Sharda Bansal, FIR was lodged on 25.7.2016 against the accused, Raju who is family member and Usha Rani. Usha Rani (widow) is a teacher in the school. As per the allegation in the FIR, Raju gave gunshot injuries to Dharampal who died. It is further alleged by learned counsel for the petitioner that Sanjay who is the servant of the deceased, Dharampal, was also present at the time of occurrence. As per statement recorded by Sanjay which is attached with the petition as PW-11 and PW-12. No relative of Raju was present at the time of occurrence.

Learned counsel for the petitioner further states that even as per the inquiry report (Annexure P/2), the allegations are carved out only

against Raju and Bhullar.

Learned State counsel has stated that specific allegations have been raised against the petitioner. As per learned State counsel, Dharampal has died. The anticipatory bail filed by Usha Rani was also rejected by this Court.

Taking into consideration the submissions made by both the parties and the fact that the present petitioner has surrendered on 27.8.2018, eye witness Sanjay has denied the presence of the petitioner at the time of occurrence and as per Inquiry report, (Annexure P/2), the petitioner is not named, the present petition is allowed and the petitioner is ordered to be released on bail pending trial, on his furnishing adequate bail and surety bonds to the satisfaction of trial Court/Duty Magistrate, concerned.

21.12.2018

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(HARNARESH SINGH GILL)

JUDGE

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