

212 IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

CRM-M-2249-2019 (O&M)

Date of decision:21.02.2019

Brahmi

...Petitioner

Versus

State of Haryana

...Respondent

**CORAM: HON'BLE MR. JUSTICE RAJBIR SEHRAWAT**

Present: Mr. Randeep S. Dhull, Advocate  
for the petitioner.

Mr. Munish Dev Sharma, AAG, Haryana.

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**RAJBIR SEHRAWAT, J. (ORAL)**

Prayer in this petition filed under Section 439 of Cr.P.C. is for grant of bail pending trial in case FIR No.306 dated 16.06.2018 under Sections 323, 324, 452, 148, 149, 307, 302, 201 of IPC and Section 25 of Arms Act and Section 3 (2) (v) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, registered at Police Station Sadar Rohtak, District Rohtak.

Learned counsel for the petitioner contends that the petitioner herein is a house wife. She is wrongly being involved in this case only because of being the family member of the co-accused. Still further, it is submitted by the learned counsel for the petitioner that even as per the case of the prosecution, the petitioner is only shown to be present at the scene of occurrence. No specific injuries have been attributed to the petitioner qua the deceased or anybody else. The investigation of the case is already over. The petitioner is in custody 05.07.2018 and she is not required for any investigation purposes. Since the trial is yet to start, therefore, the trial will take long time. Hence, the petitioner deserves to be released on bail.

On the other hand, learned State counsel, being instructed by ASI Sukhbir Singh, submits that the petitioner is involved in a serious offence of murder. As per the case of prosecution, she was very much present at the time of occurrence and the allegation is that the co-accused; along with the petitioner; caused injuries to the side of the complainant. However, it is not disputed that the petitioner is in custody since 05.07.2018 and the evidence of the prosecution is yet to start.

Keeping in view the above submissions made by learned counsel for the petitioner, but without expressing any further opinion on the merits of the case, the present petition is allowed. The petitioner is ordered to be released on bail pending trial subject to her furnishing bail bonds/surety to the satisfaction of the Trial Court/Duty Magistrate, concerned.

(RAJBIR SEHRAWAT)  
JUDGE

21.02.2019  
Hemlata

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|---------------------------|----------|
| Whether speaking/reasoned | Yes / No |
| Whether reportable        | Yes / No |