

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

CRM-M-7158-2019 (O&M)
Date of Decision:-25.2.2019

Bala Devi

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Sushil Sheoran, Advocate for the petitioner.

Ms. Aditi Girdhar, Assistant Advocate General, Haryana.

GURVINDER SINGH GILL, J. (Oral)

Petitioner seeks grant of regular bail in a case registered vide FIR No. 234 dated 22.5.2017 under Sections 302/120-B/34 of IPC and under Section 25 of the Arms Act at Police Station Dadri Sadar, District Bhiwani.

The FIR was lodged at the instance of complainant Rajender wherein it is alleged that his nephew Jitender was witness in a murder case and the present Sarpanch Lokram, Ex-Sarpanch Jitender, Ved Pal, Maninder @ Peddy, Sukhpal, Bala and wife of Jassu, residents of Bhagvi used to say that they will not allow Jitender to depose in murder case and will eliminate him. It is further alleged that on the day of occurrence, when deceased was standing behind liquor shop, Maninder @ Peddy and Kally @ Lok Ram and two other unidentified persons came there and fired at Jitender and killed him.

The learned counsel for the petitioner has submitted that although the petitioner is named in the FIR but she is not amongst those who are alleged to have fired at the deceased. The learned counsel has further submitted that in any case, the petitioner has been behind bars since the last more than 1 year and is a widow and as such deserves the concession of bail, more particularly, when the co-accused Pardeep, Naveen and Deepak have already been granted regular bail.

Opposing the petition, the learned State counsel has submitted that since the petitioner is specifically named in the FIR and it is apparent that she has conspired with her co-accused so as to get the deceased eliminated, no case for grant of bail is made out.

Having considered the rival submissions addressed before this Court and bearing in mind the fact that the petitioner is a widow aged 60 years, who has been behind bars since the last more than 1 year and till date the prosecution has not able to examine even a single prosecution witness, out of the cited 32 witnesses, in my opinion, it is a fit case for grant of bail. The petition, as such, is accepted. The petitioner Bala Devi is ordered to be released on bail on her furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

This present petition stands accepted accordingly.

25.2.2019

kamal

(Gurvinder Singh Gill)
Judge

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No