

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

**CRM-M No.12685 of 2018 (O&M)
Date of Decision : 29.03.2019**

Yogita

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present: None for the petitioner.

Mr. Himmat Singh, DAG, Haryana.

AJAY TEWARI, J. (Oral)

This is a petition for grant of pre-arrest bail to the petitioner under Section 438 Cr.P.C. in case FIR No.199 dated 29.05.2017 registered under Sections 302/506/120-B/450 IPC and Section 25 of Arms Act at Police Station Kundli, District Sonipat.

On 27.03.2018 the following order was passed:-

“Learned counsel for the petitioner contends that allegation against the petitioner is of conspirator along with her mother and husband. Brother of the petitioner is in custody and is facing trial in FIR No.118 of 2016 registered under Sections 302, 307, 34 IPC and Sections 25, 54, 59 of the Arms Act at Police Station Kundli. Son of the complainant was a witness in the said case. Son of the complainant was killed by Shantanu and two other unknown accomplices who came on a motorcycle with muffled faces. Shantanu was identified by the complainant when he removed his cloth from his face while threatening the complainant. Petitioner has been named in the

FIR on the basis of disclosure statement of co-accused. Challan has already been presented against seven accused out of total nine accused. Co-accused Satwanti has already been granted bail by the Court of Sessions.

Notice of motion for 15.05.2018.

In the meanwhile, petitioner is directed to appear before the SHO/Investigating Officer to join investigation on 02.04.2018 at 11.00 AM and in the event of her arrest, she shall be enlarged on ad interim bail, on her furnishing requisite bail bonds/surety bonds subject to the satisfaction of Arresting Officer. However, petitioner shall abide by the conditions as envisaged under Section 438(2) Cr.P.C.”

Learned State counsel on instructions from ASI Dharam Pal accepts the fact that the petitioner has joined the investigation and is no more required for custodial interrogation.

In these circumstances, I do not deem it appropriate to deny anticipatory bail to the petitioner.

Resultantly, the petition is allowed. The interim order dated 27.03.2018 is made absolute subject to the conditions envisaged under Section 438(2) Cr.P.C.

Since the main case has been decided, the pending criminal miscellaneous application, if any, also stands disposed of.

(AJAY TEWARI)
JUDGE

29.03.2019
pooja sharma-I

Whether speaking/reasoned
Whether Reportable :

Yes/No
Yes/No