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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

SANJIV KUMAR SHARMA
2019.12.16 11:12
I attest to the accuracy and
authenticity of this document

CRM-M-30198-2019
Date of decision : 9.12.2019

Savita

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

Present: Mr. Vineet Jakhar, Advocate
for petitioner.

Mr. Saurabh Girdhar, AAG Haryana.

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HARINDER SINGH SIDHU, J.

This is a petition filed under Section 439 Cr.P.C. for grant of bail in case FIR No. 163, dated 15.6.2018, registered under Sections 302, 449 IPC (Sections 379 B, 120 B, 201 IPC added later on) at Police Station Khol, District Rewari.

FIR was registered at the instance of Mukesh Kumar. The allegations are that his mother Gyana Devi, aged 65 years, used to reside with his brother Naresh. His brother Naresh used to work on a brick kiln at Ballabgarh. The petitioner (wife of Naresh) also used to stay there. The petitioner and Naresh have one son Amit who used to stay with mother of complainant in village. Amit had gone to village Hansi to meet his maternal uncle. Thus, mother of complainant was alone in the house. He had met his mother at 7.00 pm the previous day. Next day, he received information about death of his mother. On going there, he saw his mother lying dead on a cot with injury. The godrej almirah was open and her mobile phone was missing. He alleged that some unknown person murdered his mother during intervening night of 14/15.6.2018.

During investigation, Naresh (husband of petitioner) got recorded his statement to the effect that he resides at Ballabgarh alongwith his wife Savita (petitioner). One Laxman who also works at some other brick kiln resides near his house. Naresh suspected the chastity of his wife.

On 12.6.2018, he got into altercation with Laxman and said Laxman had threatened him that he would teach him a lesson. On account of the quarrel, his wife was not on speaking terms with him for last few days. He suspected that Laxman and his wife (petitioner) had committed murder of his mother by hatching a conspiracy so as to remove her from the way.

The learned counsel for petitioner states that both the complainant Mukesh and Naresh (husband of the petitioner) have been examined. They have not supported the case of prosecution. They have specifically denied the role of petitioner in murder of their mother.

Petitioner is in custody since 17.6.2018. The trial of the case may take long time. No useful purpose will be served by keeping her in custody till the final disposal of the case.

Keeping in view the facts and circumstances of present case; without expressing any opinion on the merits of the case, this criminal miscellaneous petition is allowed and the petitioner is ordered to be released on bail subject to her furnishing bail bonds and surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

(HARINDER SINGH SIDHU)
JUDGE

9.12.2019

sjks

Whether reasoned order : Yes / No

Whether reportable : Yes / No