

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

CRM-M-39570-2019

Date of decision-19.11.2019

Reena

....Petitioner

Vs.

State of Haryana

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Mohan Singh Rana, Advocate for the petitioner.

Mr. Sukhdeep Parmar, DAG, Haryana.

MANOJ BAJAJ, J.

Petitioner-Reena has prayed for grant of regular bail in case FIR No.145 dated 21.06.2018 under Section 302 read with Section 34 of Indian Penal Code, 1860 registered at Police Station Cheeka, District Kaithal, Haryana. The petitioner is in custody since her arrest on 28.06.2018.

Surender Singh, complainant got recorded the FIR in question, wherein it was alleged that on 20.06.2018, he received a call from his son that he will come tomorrow. On next day, i.e. 21.06.2018, complainant received call from SHO Cheeka that his son got injured and was admitted at PGI, Chandigarh. Upon reaching there, he was further informed that Surender Singh son of Khushal Chand, Sunil and Sunny caused injuries to the son of the complainant.

Learned counsel for the petitioner contends that the material witnesses including the complainant and PW-1 Sunil Kumar have been

examined. According to him, Sunil Kumar, who had allegedly seen the occurrence has not supported the prosecution case before the trial Court and was declared hostile. In support of his contention, he has produced the deposition of PW-1-Sunil Kumar. He submits that the petitioner is a widow and has to take care of her two children. It is prayed that as trial of the case may take considerable time, therefore, the petitioner be released on bail.

On the other hand, learned State counsel who is assisted by ASI Harpal has opposed the prayer, but does not dispute this fact that material witness i.e.PW-1 Sunil Kumar has not supported the prosecution case, who was declared hostile by trial Court. Besides, it is also not disputed that the co-accused of the petitioner was granted bail by the learned trial Court vide order dated 02.09.2019.

After hearing learned counsel for the parties, this Court is of the opinion that trial of the case is likely to consume considerable time, therefore, further detention of the petitioner, who is a widow, may not be justified. Resultantly, without meaning any expression of opinion on the merits of the case, it is ordered that the petitioner be released on regular bail subject to her furnishing requisite bail bonds/surety bonds to the satisfaction of the trial Court concerned.

The petition is allowed.

(MANOJ BAJAJ)
JUDGE

19.11.2019

vanita

Whether speaking/reasoned :
Whether Reportable :

Yes	No
Yes	No