

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

**CRM-M No.40024 of 2019
Decided on: 24.09.2019**

Seema

....Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MR JUSTICE ARVIND SINGH SANGWAN

Present : Mr. Vijay Dahiya, Advocate
for the petitioner.

Mr. Naveen Sheoran, DAG, Haryana.

ARVIND SINGH SANGWAN, J. (Oral)

Prayer in this petition is for grant of regular bail to the petitioner under Section 439 of the Code of Criminal Procedure (in short 'Cr.P.C.') in FIR No.493 dated 13.12.2018 registered under Sections 148, 149, 323, 452, 506 of the Indian Penal Code (in short 'IPC') (Sections 307 and 302 IPC added later) at Police Station Gohana Sadar, Tehsil Gohana, District Sonapat.

Counsel for the petitioner has submitted that the petitioner is in custody from the last 07 months and the statement of the complainant has already been recorded and there is no possibility of tampering with the evidence. It is further submitted that a perusal of the FIR show that all the family members of the accused party include 03 ladies and during the investigation one was found innocent and one has already been granted the concession of bail.

Counsel for the petitioner has further argued that as per the

allegations in the FIR, the petitioner was having a wooden stick and no specific injury was attributed to the petitioner.

Counsel for the State has filed the Custody Certificate today in the Court and as per the Custody Certificate, the petitioner is not involved in any other case. It is also submitted that out of 18 prosecution witnesses, 10 PWs including the complainant, have already been examined.

Without commenting anything on merits of the case, considering the fact that the petitioner is not involved in any other case; she is in judicial custody from the last 07 months and it will take some time in conclusion of the trial, this petition is allowed and the petitioner is directed to be released on bail subject to his furnishing bail/surety bonds to the satisfaction of the trial Court/Illaqa Magistrate/Duty Magistrate.

However, it will be open for the prosecution to apply for cancellation of bail of the petitioner, in case he is found involved in any other case or misusing the concession of bail, in any manner.

(ARVIND SINGH SANGWAN)
JUDGE

24.09.2019

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Whether speaking/reasoned	Yes/No
Whether reportable:	Yes/No