

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

213

CRM-M-55929-2018 (O&M)
Date of Decision : 7.2.2019

Sonia

....Petitioner

vs.

State of Haryana

....Respondent

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present: Mr. R.K.Girdhwal, Advocate
for the petitioner.

Mr. Surender Singh, AAG, Haryana.

AJAY TEWARI, J. (Oral)

This petition has been filed under Section 439 Cr.P.C for grant of regular bail to the petitioner in case FIR No.534 dated 24.12.2017 registered under Sections 302/34 IPC, 1860 at police station Beri, District Jhajjar, Haryana.

The allegation against the petitioner was that the nephew of the complainant was murdered by the petitioner.

Learned counsel for the petitioner has argued that even as per the FIR the deceased was caught in the house of the petitioner and actually the fact is that he was having a bad eye on the minor daughter of the petitioner. He further stated that the other three male members of the family are in custody and the petitioner is a lady who has three minor children and has been in custody for more than 1 year and 1 month and pray for concession of bail on this very ground. He has further argued that the trial

is not likely to be concluded in the near future.

Custody certificate dated 6.2.2019 by way of affidavit of Anil Kumar, Deputy Superintendent, District Prison, Jhajjar-Haryana has been filed on behalf of the respondent-State, the same is taken on record. Copy has been supplied to the opposite counsel. The custody certificate also certifies the fact that the petitioner has been in custody for 1 year 1 month and 12 days and no other case is pending against her.

Learned Assistant Advocate General has accepted these factual assertions but opposed the bail by stating that this is a case where serious offence i.e murder has been committed by the petitioner.

Without commenting on the merits of the case, keeping in view the above facts and the period of incarceration already suffered by the petitioner, I deem it appropriate to grant regular bail to the petitioner. Ordered accordingly, Bail to the satisfaction of the concerned Trial Court/Duty Magistrate.

Petition stands allowed.

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

7.2.2019
anuradha

(AJAY TEWARI)
JUDGE

Whether speaking/reasoned - Yes/No

Whether reportable - Yes/No