

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

CRM-M-6113 of 2020 (O&M)
Date of Decision: March 03, 2020

Bimla Devi

...Petitioner

Versus

State of Haryana

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. K.S. Banyana, Advocate
for the petitioner.

Ms. Mahima Yashpal, AAG Haryana.

JAISHREE THAKUR, J. (Oral)

The instant petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No.490 dated 20.09.2019, under Section 306 of Indian Penal Code, registered at Police Station Shahabad, District Kurukshetra.

Learned counsel for the petitioner contends that the petitioner herein was taken into custody in the aforesaid FIR on 19.11.2019. It is submitted that the minor child, aged 01 year, is with her in the jail. It is argued that co-accused i.e. husband of the deceased (son of the petitioner) has already been allowed regular bail. It is also contended that after completing the investigation, challan has already been presented and charges have also been framed and conclusion of trial will take sufficient

time as there are total 16 witnesses, therefore, the petitioner is entitled to be enlarged on bail.

Per contra, learned counsel appearing on behalf of respondent-State, on instructions from the Investigating Officer, opposes the grant of regular bail to the petitioner, however, is not in a position to dispute the fact that co-accused i.e. husband of the deceased has already been allowed regular bail.

I have heard learned counsel for the parties.

Since, the trial is likely to take some time and in view of the facts that the petitioner herein has been in custody since 19.11.2019; that challan has already been presented and charges have also been framed; that co-accused i.e. husband of the deceased has already been allowed regular bail; and that the petitioner herein has to look after the minor child, no useful purpose would be served in keeping the petitioner behind bars. At this stage, without commenting on the merits of the case, the instant petition is allowed and the petitioner is directed to be released on regular bail on execution of adequate personal bond and surety bond to the satisfaction of concerned trial Court/Duty Magistrate.

However, anything observed or said by this court is only for the purpose of deciding the instant petition for grant of regular bail and the same shall have no affect on the merits of the case.

March 03, 2020
vijay saini

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No