

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

CRM-M-8724-2020

Date of Decision: 21.5.2020

Asha Devi

...Petitioner

Vs.

State of Haryana

...Respondent

CORAM:- HON'BLE MR.JUSTICE RAJIV NARAIN RAINA

Present: Mr. P.S.Sullar, Advocate

for the petitioner.

Mr. Vikrant Pamboo, DAG Haryana.

RAJIV NARAIN RAINA, J. (Oral)

1. Case is taken up for hearing today through video conferencing due to pandemic of COVID-19.
2. This is the first filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner pending trial in case FIR No. 109 dated 19.4.2019 under Sections 120-B, 302, 506, 34 IPC registered at Police Station Ateli, District Mahendergarh.
3. Mr. Vikrant Pamboo, DAG Haryana appears on behalf of the State of Haryana.
4. Learned counsel for the petitioner contends that the prosecution witness namely Sandeep has turned hostile, which shows that there is no material or evidence to connect the petitioner with the alleged occurrence. No role has been attributed to the petitioner nor any recovery has been effected from her. There is no material to show that the petitioner was party to conspiracy to facilitate the alleged occurrence.

5. Learned State counsel has opposed the prayer for grant of bail but did not contest correctness of submissions made by counsel for the petitioner.

6. Having heard learned counsel for the parties and without any opinion on merits of the case, I am of the considered view that no useful purpose would be served by keeping the petitioner in jail. The petitioner is in judicial custody since 23.4.2019. It appears to be a fit and proper case for grant of bail pending trial.

7. In view of the above, this petition is allowed. The petitioner is directed to be released on regular bail subject to his furnishing adequate bail bonds/surety bonds to the satisfaction of the trial Court.

(RAJIV NARAIN RAINA)
JUDGE

21.5.2020

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