

HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-19798-2020 (O&M)

Date of Decision: 07.08.2020

Naveen Devi

... Petitioner

VS.

State of Haryana

... Respondent

CORAM: HON'BLE MR.JUSTICE GIRISH AGNIHOTRI

Present: Mr. RA Sheoran, Advocate for the petitioner

Mr. Rajiv Goel, DAG Haryana

GIRISH AGNIHOTRI, J. (Oral)

The matter has been taken up through video conferencing on account of lockdown due to outbreak of COVID-19 pandemic.

The petitioner Naveen Devi who is stated to be aged 33 years has filed the present petition *inter alia* with a prayer for grant of regular bail. She has been allegedly involved in case FIR No.46 dated 01.02.2019 under Sections 302/201/34 IPC registered at PS Tosham, District Bhiwani.

Learned counsel submits that on 30.12.2018, husband of the petitioner (deceased) had gone missing. On 01.02.2019, when the petitioner was not able to find him, she filed a complaint and lodged an FIR. However, on 17.02.2019, the sister of the deceased gave a statement that her son Mandeep and the present petitioner had killed the deceased. Thereafter on 19.02.2019 Mandip was arrested. On 20.02.2019 the dead body of the deceased was recovered and on 22.02.2019 the petitioner was arrested.

Notice of motion.

On the asking, Mr. Rajiv Goel, DAG Haryana accepts notice, through video conferencing.

Learned State counsel submits that in fact there are a total of 31 witnesses out of which, 5 have been examined till date.

Counsel for the petitioner submits that there are two minor children and an old mother-in-law whom she has to look after. He then submits that due to COVID situation retention of the petitioner in jail is dangerous to her life and otherwise also the trial is likely to take some time.

In view of the above, this Court deems it appropriate to release the petitioner on regular bail subject to her furnishing adequate bail bonds/surety bonds to the satisfaction of the Duty Magistrate/trial court concerned.

In view of the peculiar circumstances as noticed above, in addition to bail bonds/additional surety which the trial court may further require the petitioner to furnish as it deems appropriate, the petitioner is directed to get 2 FDRs made of Rs.3 lakhs each in the name of the two minor children and give an undertaking which shall be duly sent to the Bank that the said FDRs shall not be encashed by anyone except the same can be used for the benefit of the minor children. The said FDRs shall be deposited within one month from the date of release of the petitioner before the Duty Magistrate/trial Court which shall await further orders of this Court.

However, it is made clear that anything observed herein shall not be construed to be an expression on merits of the case.

Disposed of.

07.08.2020

vishal shonkar

(Girish Agnihotri)
Judge

1. *Whether speaking/reasoned?*
2. *Whether reportable?*

Yes/No
Yes/No