

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

CRM-M-20021-2020

Date of decision: **4.9.2020**

BHAGPATI

.....Petitioner

Versus

STATE OF HARYANA

.....Respondent

CORAM : HON'BLE MR.JUSTICE GURVINDER SINGH GILL

Present: Mr. S. S. Duhan, Advocate for the petitioner.

Mr. Karan Sharma, AAG, Haryana.

(Proceedings conducted through video conferencing).

GURVINDER SINGH GILL, J. (ORAL)

1. The petitioner seeks grant of regular bail in a case registered against her vide FIR No.285 dated 10.10.2018 under Sections 302, 148, 149, 323, 452 IPC at Police Station Julana, District Jind.
2. It is the case of prosecution that on 29.9.2018, the petitioner along with her co-accused entered into the house of complainant-Sandeep armed with deadly weapons and caused injuries to Ramphal, Kartar Singh, Neeraj and also to Kelo Devi and that Kelo Devi succumbed to her injuries.
3. Learned counsel for the petitioner has submitted that she has falsely been implicated in the present case and has not been identified by the injured PWs who had been examined during the course of the trial. Learned counsel in this regard has drawn the attention of Court to the statements of injured PWs namely Ramdia, Sandeep, Kartar Singh, Neeraj and

Ramphal (Annexures P-2 to P-6), a perusal of which would show that the aforesaid witnesses have not supported the case of prosecution at all. It has further been submitted that co-accused of the petitioner namely Balraj @ Balar and Babita have already been granted concession of bail and as such the petitioner also deserves concession of bail on the ground of parity.

4. The aforesaid factual position as regards resiling of the material PWs has not been disputed by learned State counsel, who has also informed upon instructions from ASI Jaibir that the petitioner has been behind bars since 20.10.2018.
5. Having regard to the aforesaid facts and circumstances of the case especially that the material injured witnesses have not supported the case of prosecution and that the petitioner has been behind bars since last more than 1 year & 10 months and that co-accused of the petitioner have already been granted concession of bail, further detention of the petitioner will not serve any useful purpose as conclusion of trial is likely to consume some time. The petition, as such, is accepted and the petitioner is ordered to be released on regular bail on her furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

(GURVINDER SINGH GILL)
JUDGE

4.9.2020
Gaurav Sorot

Whether reasoned / speaking? **Yes / No**

Whether reportable? **Yes / No**

