

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

CRM-M-25718-2020

Date of decision: **8.9.2020**

SHAKUNTLA

.....Petitioner

Versus

STATE OF HARYANA

.....Respondent

CORAM : HON'BLE MR.JUSTICE GURVINDER SINGH GILL

Present: Mr. Parminder Walia, Advocate
for the petitioner.

Mr. Karan Sharma, AAG, Haryana assisted by
ASI Anand Parkash.

(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.116 dated 17.4.2019 under Sections 323, 325, 506, 452, 307, 302 & 120-B IPC at Police Station Pinjore, District Haryana.
2. The FIR in question was lodged at the instance of Ram Lal (son of the petitioner) wherein it has been alleged that while the complainant is employed as a driver of a private vehicle and returns back home after about 25-30 days, his wife namely Khushi along with children used to reside with complainant's mother Shakuntla (petitioner) and complainant's younger brother Ajay Kumar who used to give beatings to Khushi and that on 12.4.2019 complainant's brother Ajay Kumar had

quarreled with complainant's wife and had given stick blow on her head as a result of which his wife became unconscious and was taken to Civil Hospital, Panchkula by complainant's mother from where she was referred to PGIMER, Chandigarh. However, the complainant's wife could not survive and ultimately expired on 2.6.2019. It is further stated in the FIR that in fact on 12.4.2019 when the complainant had called his brother's wife Anu telephonically, he heard shouts of his wife in the background and when complainant asked Anu about the same, she told that Ajay had given blow on the head of complainant's wife.

3. Learned counsel for the petitioner has submitted that even if the FIR is taken to be correct, still no injury is attributed to the petitioner and in fact it is the petitioner who had taken the complainant's wife to hospital.
4. Opposing the petition, the learned State counsel has submitted that in fact a distorted version had been put forth in the FIR by the complainant who himself was found to be one of the accused in a subsequent statement made by sister of the deceased. The learned State counsel has however informed that the petitioner has been behind bars since last more than 1 year & 4 months and that till date only one PW out of cited 21 PWs has been examined.
5. I have considered rival submissions addressed before this Court.
6. Keeping in view the fact that the petitioner is not attributed any injury as per FIR and is a lady who has been behind bars since last 1 years & 4 months, further detention of the petitioner will not serve any useful purpose as conclusion of trial is likely to take 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.

8.9.2020
Gaurav Sorot

(GURVINDER SINGH GILL)
JUDGE

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

Whether reportable? **Yes / No**