

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

210

CRM-M-33526-2020

Date of decision: 03.11.2020

Anju

.....Petitioner

versus

State of Haryana

....Respondent

CORAM: Hon'ble Mr. Justice Girish Agnihotri

Present: Mr. Virender Soni, 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 restrictions due to outbreak of pandemic COVID-19.

Petitioner-Anju, stated to be aged 30 years, has filed the present petition *inter alia* with a prayer for grant of regular bail in case FIR No.360 dated 03.10.2018, registered under Sections 302 & 34 of Indian Penal Code, at Police Station Old Sabji Mandi, Rohtak, District Rohtak.

Learned counsel based upon the pleadings, submits that the petitioner has been falsely implicated in the case. He submits that in the FIR there is allegation that Maya (neighbourer of Pardeep @ Azad-brother of the complainant) informed that Ravi s/o Pardeep @ Azad and Shadav @ Shahid have killed Pardeep @ Azad-the brother of the complainant by inflicting brick blows. It has also been mentioned in the FIR that Ravi

(husband of the petitioner) had become addicted to liquor and further allegation is that one Shahid used to live at the house of Ravi and had developed illicit relations with wife of Ravi, namely, Anju @ Manju (present petitioner). He then refers to the statement of Anju wife of Karambir (neighbour of deceased Pardeep @ Azad), dated 17.12.2019 (Annexure P-2) to say that injuries were caused to Pardeep @ Azad by some unknown persons. She further deposed that the accused persons, namely, Ravi, Shahid and Manju/daughter-in-law of Pardeep @ Azad are not responsible for the murder of deceased Pardeep @ Azad. Learned counsel then refers to the statement dated 05.02.2020 (Annexure P-4) of Dr. Palak Bansal who has said that there was only one external injury on the body of the deceased. It was further stated that the possibility of the aforesaid injury to have sustained falling on sharp objects cannot be ruled out.

Notice of motion.

On the asking, Rajiv Goel, DAG Haryana accepts notice on behalf of the respondent-State.

Learned State counsel submits that in fact it is evident from the contents of the FIR that the petitioner had illicit relations with one Shahid. He further submits that there are a total of 22 witnesses out of which 12 have been examined.

Counsel for the petitioner 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. Learned counsel for the petitioner also submits that the petitioner was arrested on 03.10.2018 and

thus, she has completed more than two years of custody.

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

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

Disposed of accordingly.

(GIRISH AGNIHOTRI)
JUDGE

03.11.2020
anju rani

Whether speaking/ reasoned:	Yes/No
Whether Reportable:	Yes/No