

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

CRM-M-34493-2020
Date of decision: 30.10.2020

Jangir Kaur

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. Gurdarshan S. Sidhu, Advocate
for the petitioner.

ARVIND SINGH SANGWAN, J. (Oral)

This petition has been filed under Section 438 of the Code of Criminal Procedure for grant of anticipatory bail to petitioner in case FIR No. 31 dated 07.02.2019, registered under Sections 323, 307 and 34 of the IPC at Police Station City Mandi Dabwali, District Sirsa.

Learned counsel for the petitioner submits that though the petitioner was named in the FIR, however, she was found innocent during investigation.

Learned counsel for the petitioner further submits that as per allegations in the FIR, only instigation is attributed to petitioner, who is a lady aged about 67 years.

Learned counsel further submits that he has instructions to say that petitioner is ready to face the trial and will not challenge the order passed under Section 319 Cr.P.C. summoning her as an additional accused.

Notice of motion.

Mr. Sumit Jain, Addl. A.G., Haryana, who is also appearing through video conferencing, accepts notice on behalf of the respondent-

State and could not dispute the factual position that petitioner has been summoned as an additional accused, vide order dated 01.10.2020.

After hearing learned counsel for the parties, without commenting anything on the merits of the case, looking into the role of the petitioner as well as her age and also considering the fact that she is a lady to whom the only attribution is of instigating the other accused, the present petition is allowed and the petitioner is directed to appear before the trial Court within a period of 15 days from today. On doing so, the trial Court shall release the petitioner on bail, subject to her furnishing bail/surety bonds to its satisfaction.

However, it will be subject to a condition that petitioner will face trial and will not challenge the summoning order.

30.10.2020

Waseem Ansari

**(ARVIND SINGH SANGWAN)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No