

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-5306-2021

Date of Decision: 24.02.2021

Neetu

....Petitioner

Versus

State of Haryana

....Respondent

CORAM:HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

Present: Mr. Sandeep Kumar Yadav, Advocate for the petitioner.

Mr. Tapan Kumar Yadav, DAG, Haryana.

HARINDER SINGH SIDHU, J.

Present petition has been filed under Section 439 seeking regular bail in case FIR No. 79 dated 03.03.2020 under Sections 302, 201 and 120-B of IPC, registered at Police Station Sadar Narnaul, District Mahendergarh.

FIR was registered on the statement of Jagdish Prasad, wherein he stated that his daughter namely Mayawati was married with Sudhir s/o late Sh. Kanwar Singh r/o Uchha Jamalpur, District Rewari about 7-8 years back. She had came with her minor children to live with the complainant. On 28.02.2020 at about 05.00 p.m it was noticed that his grandson namely Ritik @ Behru suddenly disappear. On search, he was found at the roof of Stayavir s/o Ramji Lal at about 08.00 p.m. He was taken to private Vijay Durga Hospital at Narnaul, where the doctors declared Ritik as dead. As no foul play was suspected Ritik was cremated the next date at about 07-08.00 a.m at the in-laws house of his daughter. The complainant further stated that now he had suspicion that his grand son has been killed by the

petitioner in connivance with some Tantrik as the petitioner used to go to Tantrik for getting male child.

Learned counsel for the petitioner has argued that there is no material to connect the accused with the crime. The Prosecution is only relying on the alleged extra-judicial confession of the petitioner with one Hanuman. The said Hanuman has not even been cited as a prosecution witness. The tantrik whom the petitioner was allegedly visiting has not been identified. The complainant-Jagdish Prasad and the mother of the deceased have already been examined. He further states that the petitioner has given birth to a child on 09.07.2020, thereafter she has remained on interim bail from 28.07.2020 to 09.01.2021.

Without commenting anything on merits of the case, keeping in view the aforesaid facts and circumstances, no useful purpose will be served by keeping the petitioner behind the bars till the conclusion of trial.

Accordingly, this petition is allowed. Petitioner-Neetu is ordered to be released on bail on her furnishing bail and surety bonds to the satisfaction of trial Court/Chief Judicial Magistrate/Duty Magistrate/Illaqa Magistrate concerned.

[HARINDER SINGH SIDHU]
JUDGE

February 24, 2021
rashmi

Whether speaking/reasoned
Whether reportable?

yes/no
yes/no