

219 **IN THE HIGH COURT OF PUNJAB AND HARYANA**
AT CHANDIGARH
(through video conferencing)

CRM-M-6839-2021
Decided on : 17.02.2021

Dholi Petitioner

Versus

State of Haryana Respondent

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. T.S.Grewal, Advocate
 for the petitioner.

Mr. Rajiv Goel, DAG, Haryana.

Manjari Nehru Kaul, J.

Instant petition has been filed under Section 439 Cr.PC for grant of regular bail to the petitioner in case FIR No.279 dated 18.06.2020 registered under Sections 302, 323, 506, 148, 149, 120-B IPC, 1860 and Section 25 of Arms Act, 1959 at Police Station City Mahendergarh District Mahendergarh.

Learned counsel for the petitioner inter alia contends that a perusal of the FIR in question clearly reveals that totally vague allegations have been levelled against the petitioner who was allegedly just standing at the place of occurrence and her mere presence could not by any stretch of imagination be linked with the murder of deceased Santra Devi. It has further been submitted that there was no evidence much less qualitative on record from which an inference could be drawn that the petitioner had incited the main accused Kuldeep to commit the crime in question. It has also been submitted that a perusal of the material on record including the disclosure statement allegedly made by the petitioner before the police

reveal that the statement made by the complainant was at complete variance with the disclosure statement, which further made it abundantly clear that a concocted version had been brought forth against the petitioner who has been in custody since 18.06.2020. Hence, prayer has been made to extend the concession of regular bail to the petitioner.

Per contra, learned State counsel while opposing the prayer of learned counsel for the petitioner on instructions from SI Rajender Singh has submitted that challan has been presented and charges are likely to be framed in the near future.

Heard.

In view of the submissions made by learned counsel and the fact that the petitioner has been in custody since 18.06.2020, the trial is unlikely to conclude in the near future more so in the wake of outbreak of pandemic Covid-19. Hence, the present petition is allowed and the petitioner is admitted to bail to the satisfaction of the trial Court/Duty Magistrate. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

(MANJARI NEHRU KAUL)
JUDGE

17.02.2021

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Whether speaking/reasoned:
Whether reportable :

Yes/No
Yes/No