

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

CRM-M No.7077 of 2021 (O&M)
Date of Decision.22.02.2021
(Heard through VC)

Pooja Sharma

...Petitioner

Vs

State of Haryana

...Respondent

CORAM:HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: Dr. Anmol Rattan Sidhu, Senior Advocate with
Mr. Pratham Sethi, Advocate
for the petitioner.

Mr. Gurbir Singh Dhillon, AAG, Haryana.

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JAISHREE THAKUR J. (ORAL)

The instant petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No.17 dated 12.01.2019 under Sections 323, 307, 34, 341 IPC and Section 25 of Arms Act, 1959 (Sections 307, 323 deleted and charges framed under Sections 341, 302, 201, 120-B, 34 IPC and Section 25 of Arms Act, 1959) registered at Police Station Adarsh Nagar, District Faridabad.

Counsel for the petitioner *inter alia* would contend that the petitioner herein has been wrongly implicated in the said matter as initially the FIR was registered against unknown persons and the petitioner has been nominated at a later stage. He would rely upon the statement given by the complainant himself wherein he has categorically submitted that Pooja Sharma i.e. the petitioner herein had nothing to do with the murder of his wife. The trial is likely to take some time to conclude as out of 37 witnesses cited, only five witnesses have been examined and therefore, prays for

concession of bail to the petitioner.

Learned counsel appearing for the respondent-State opposes the bail application of the petitioner by submitting that no ground for bail is made out, however, he does not dispute the fact that statement of the complainant has been recorded wherein he did not support the case of prosecution.

I have heard learned counsel for the parties.

Keeping in view the fact that statement of the complainant has been recorded wherein he did not support the case of prosecution and the trial is likely to take some time to include as out of 37 witnesses cited, only five witnesses stand examined, no useful purpose would be served in keeping the petitioner behind the bars. The instant petition is allowed and the petitioner is directed to be released on regular bail on execution of adequate personal/surety bond to the satisfaction of concerned trial Court/Duty Magistrate. However, any observation made herein shall not be construed to be an expression on merits of the case.

(JAISHREE THAKUR)
JUDGE

February 22, 2021

Pankaj*

Whether speaking/reasoned Yes/No

Whether reportable Yes/No