

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

220)

CRM-M no.36635 of 2020
Date of Decision: 02.09.2021

Reena

.....Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present:- Mr.S.S.Duhan, Advocate, for the petitioner.

Mr. Munish Sharma, AAG, Haryana.

Mr. Mazlish Khan, Advocate,
for the complainant.

Amol Rattan Singh, J. (Oral)

Case heard by video conferencing.

By this petition, the petitioner seeks the concession of 'regular bail' under the provisions of Section 439 Cr.P.C., upon FIR No.720, dated 11.12.2019, having been registered at Police Station City Jind, District Jind, alleging therein the commission of the offences punishable under the provisions of Sections 302/364/34/120-B of the IPC and Section 3V(II)SC/ST Act, 1989.

Learned counsel for the petitioner submits that as per the FIR the petitioner had no active role to play in the matter but thereafter (as has also been pointed out specifically by learned State counsel), it was found that she had made a phone call to her co-accused, i.e. Kalu, to the effect that Monu (later deceased), had reached her house.

Learned State counsel submits that therefore, she being an active conspirator in the murder of the deceased, she does not deserve to be admitted to bail.

However, upon learned counsel for the petitioner submitting that the trial is still to actually effectively commence, with her having been in custody for 1 year and 8 months now, that factual position is not denied by learned State counsel even as per his instructions.

Learned counsel for the complainant obviously opposes the petitioner being admitted to bail.

That being so, with the petitioner not seen to be the person who actually killed the deceased, (as per the FIR), without making any comment whatsoever on the actual merits of the case, simply at this stage taking into account the period of custody and the fact that even the charges have not been framed, the petition is allowed and the petitioner is ordered to be admitted to bail, upon her furnishing adequate bail and surety bonds to the satisfaction of the trial court.

September 02, 2021

dharamvir

**(AMOL RATTAN SINGH)
JUDGE**

Whether speaking/reasoned : YES

Whether Reportable : NO