

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

208

CRM-M-38354-2020

Date of decision: 15.02.2021

Geeta

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE ARUN KUMAR TYAGI

Present : Mr. Ravi Dutt Sharma, Advocate
for the petitioner.

Mr. Ranvir Singh Arya, Addl, A.G.Haryana
for the respondent-State.

ARUN KUMAR TYAGI, J (ORAL)

(The case has been taken up for hearing through video conferencing.

The petitioner has filed the present (first) petition under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail in case FIR No. 433 dated 28.09.2020 registered under Sections 147, 148, 149, 302, 323, 452 and 506 of the Indian Penal Code, 1860 at Police Station Narnaund, District Hisar.

The petitioner being in custody since the date of her arrest has filed the present petition for grant of regular bail.

The petition has been opposed by learned State counsel in terms of short reply by way of affidavit of Jugal Kishor, Deputy Superintendent of Police, Narnaund, District Hisar filed in the Registry which is taken on record.

I have heard learned counsel for the petitioner and learned State Counsel and have gone through the relevant record.

Learned Counsel for the petitioner has submitted that the petitioner has been falsely implicated in the present case on the basis of disclosure statement of her co-accused namely Naseeb, Rahul, Vishal, Bunty, Kamlesh and Ritu as per reply filed by the State. The petitioner is alleged to have stated in her disclosure statement that she had inflicted injuries on the head of Roshni and the petitioner is alleged to have got danda used in commission of offence recovered. MLR of Roshni has not been enclosed with the Challan. Recovery of danda does not incriminate the petitioner for commission of alleged offences. The petitioner is not attributed to have caused any injury to deceased Ram Kumar or any of the injured other than Roshni. The trial is likely to take long time due to restrictions imposed to prevent the spread of infection of COVID-19 and no useful purpose will be served by further detention of the petitioner in custody. Therefore, the petitioner may be granted regular bail.

On the other hand, learned State counsel has argued that the petitioner is accused of having committed heinous offences. In view of the nature of accusation and gravity of offences, the petitioner does not deserve grant of regular bail. Therefore, the petition may be dismissed.

In view of the facts and circumstances of the case, nature of accusation and evidence against the petitioner, role attributed to her, particularly the fact that she is not alleged to have caused any injury to the deceased, the period of her custody and the fact that trial is likely to take long time due to restrictions imposed to prevent the spread of infection of Covid-19 but without commenting on the merits of the

case, I am inclined to extend the concession of regular bail to the petitioner.

In view of the above, the petition is allowed and the petitioner is ordered to be released on regular bail on furnishing of personal and surety bonds to the satisfaction of the trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

15.02.2021

Vishal

(ARUN KUMAR TYAGI)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No