

CRM-M-43790-2021

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

CRM-M-43790-2021

Date of decision: 24.11.2021

Raj Kaur @ Chiriya

...Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Rajesh Nain, Advocate,
for the petitioner.

Mr. Surender Singh, AAG, Haryana.

HARNARESH SINGH GILL, J. (ORAL)

Case is taken up for hearing through video conferencing.

Through this petition, the petitioner seeks regular bail in case bearing FIR No.433 dated 28.09.2020, registered under Sections 147, 148, 149, 302, 323, 452, 506 and Section 325 IPC (added later on), at Police Station Narnaund, District Hansi.

Copy of status report dated 18.11.2021, by way of affidavit of the Deputy Superintendent of Police, Narnaund, Police District Hansi, filed in the Registry, is taken on record.

Learned counsel for the petitioner contends that simple injury on the person of Bala-wife of the deceased, had allegedly been attributed to the petitioner; that co-accused, namely, Geeta, Dev Raj @ Dhallu, Kamlesh and Rittu and Bantu @ Banti stand enlarged on regular bail by the Coordinate Bench and by this Court, and that the petitioner has been in

custody since 09.02.2021.

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On the other hand, learned State counsel while opposing the submissions made by the learned counsel for the petitioner, submits that the petitioner and other co-accused being members of an unlawful assembly, attacked upon the complainant party, following which one Ram Kumar had lost his life. The petitioner actively participated in the occurrence and a danda blow on the person of Bala was attributed to her. However, the learned State counsel does not dispute the custody period of the petitioner. It is also submitted that out of 36 prosecution witnesses, none has been examined so far.

I have heard the learned counsel for the parties.

The petitioner, who is a lady, has been in custody since 09.02.2021. Only a simple injury on the non-vital part of injured-Bala has been attributed to the petitioner. As noticed above, the co-accused stand enlarged on bail. None of the witnesses has been examined by the prosecution. Trial is unlikely to conclude any time soon. Therefore, no useful purpose would be served by keeping the petitioner behind the bars.

In view of the above, without commenting anything on the merits, lest it should prejudice the case of either side, the present petition is allowed and the petitioner is ordered to be released on bail on her furnishing bail and surety bonds to the satisfaction of the learned trial Court/Duty Magistrate.

24.11.2021

parveen kumar

(HARNARESH SINGH GILL)
JUDGE

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No