

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

233

**CRM-M-45553-2021
Date of Decision: 03.11.2021**

Sani

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present: Mr. G.C. Shahpuri, Advocate, for the petitioner.

Mr. Rajiv Sidhu, DAG, Haryana
assisted by SI Jaswinder.

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner has approached this Court seeking grant of regular bail in respect of a case registered against her vide FIR No.68 dated 11.02.2021 at Police Station Sadar, District Yamuna Nagar, under Sections 148/149/307/323/324/332/353/506 IPC.
2. The FIR was lodged at the instance of ASI Gurmej Singh, wherein it has been alleged that on 11.02.2021 while he was present at Behram Chowk, Yamuna Nagar, he received a secret information to the effect that Meer Hassan indulged in smuggling of 'Smack' and that in case a raid is conducted he could be caught red-handed. Pursuant to receipt of said information, a raid was conducted by the police at a marriage palace in Village Lapara, where they tried to apprehend a boy who was standing near the marriage palace, but the said boy called several

- persons from the village, who were all armed with sticks and 'gandasis' and they attacked the police party. It is alleged that Sarun inflicted a blow with a 'gandasi' on the head of Akshay, while others also caused injuries to the police officials. It is the case of prosecution that Ikram @ Kala, Najim, Sarun, Katija, Shakina Farjana, Sameena @ Bhokar, Farida, Sani (petitioner), Mosin and 10-12 other persons had attacked the police party.
3. Learned counsel for the petitioner has submitted that she has falsely been implicated in the present case being a lady so as to pressurize other accused. It has further been submitted that the petitioner otherwise has a clean record.
 4. Opposing the petition, learned State counsel has submitted that since specific allegations have been levelled in the FIR against the petitioner, no case for grant of bail is made out, particularly, since the accused have tried to obstruct the police officials in performance of their duties. Learned State counsel has, however, informed that the petitioner as on date has been behind bars since the last about 3½ months and that she is not involved in any other case. It has been informed that while challan has been presented, the charges are yet to be framed and as many as 23 PWs have been cited.
 5. I have considered rival submissions addressed before this Court.
 6. Having regard to the fact that nothing is to be recovered from the petitioner, who has already been behind bars for a substantial period of 3½ months and is a lady and is not even involved in any other case, the petition is hereby accepted and the petitioner is ordered to be released on regular bail on her furnishing bail bonds/surety bonds to

the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty
Magistrate concerned.

03.11.2021

(GURVINDER SINGH GILL)

VY

JUDGE

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