

**In The High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-56-2021 (O&M)
Date of Decision:- 15.3.2021

Lalita and another ... Petitioners

Versus

State of Haryana ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. B.S. Rana, Senior Advocate with
Ms. Divya Bajaj, Advocate, for the petitioners.

Ms. Sheenu Sura, DAG, Haryana,
assisted by SI Ravinder Singh.

(Proceedings conducted through video conferencing)

GURVINDER SINGH GILL, J. (Oral)

CRM-3636-2021

In view of the reasons mentioned in the application, the same is
allowed as prayed for.

CRM-M-56-2021

1. The petitioner seeks grant of regular bail in respect of a case registered vide FIR No.327, dated 7.7.2020, Police Station Mahendergarh, District Mahendergarh, under Sections 302, 201, 120-B, 34 IPC
2. The FIR in question was lodged at the instance of Anil Kumar wherein it has been alleged that he is a vegetable vendor by

profession and that on 6.7.2020 when he returned back home at about 8 pm., he was accompanied by his brother Ishwar. At that time Vikas son of his brother Ishwar asked the complainant to give him his motorcycle as he was to bring notes from his friend. The complainant gave his motorcycle to Vikas. However, Vikas did not return back for a long time and on account of which they started searching for him. While they were searching for Vikas they came across a police vehicle parked towards the back side of cow shelter. When they reached near the vehicle they saw dead body of complainant's nephew Vikas and the motorcycle of the complainant was also lying nearby. The complainant alleged that the body of Vikas was bearing several injuries and apparently he had been murdered by some unknown person due to some enmity.

3. Learned counsel for the petitioner has submitted that it is a case of blind murder and that complainant Anil Kumar himself as well as his brother and their wives along with two others have been nominated as accused on the basis of alleged confessional statements made by complainant Anil Kumar himself and also by complainant's brother and their wives.
4. Opposing the petition, learned State counsel has submitted that it is a case where deceased Vikas was troubling his parents and who being fed-up thought of a plan to get him eliminated as would be clearly evident from the confessional statements of Anil Kumar (complainant), his brother Ishwar and their wives i.e. the petitioners Lalita and Sharda. Learned State counsel has submitted that as per

the confessional statements Vikas had been troubling his parents and also his uncle and aunt to give him an amount of ₹20 lakhs and had been threatening them and that the accused being fed-up engaged a professional killer Ashutosh through Mohit and got him killed and that an amount of ₹2.5 lakhs was paid to Ashutosh for the said job. Learned State counsel has however, informed that the petitioners as on date have been behind bars since the last about 8 months and that they are not involved in any other case.

5. I have considered rival submissions addressed before this Court.
6. It is not disputed that the only evidence collected by the police is in the nature of confessional statements of the accused themselves, the admissibility and veracity of which would be debatable. In any case both the petitioners are ladies and had been behind bars since the last about 8 months and challan already stands presented. In these circumstances further detention of the petitioners will not serve any useful purpose. The petition, as such, is accepted and the petitioners are ordered to be released on bail subject to their furnishing bail bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

March 15, 2021

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(GURVINDER SINGH GILL)
JUDGE

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No