

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

CRM-M-6550 of 2022

Date of Decision: 21.02.2022

Priyanka

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

Present: Mr. Sanchit Punia, Advocate for the petitioner.

Mr. R.K Singla, DAG, Haryana.

HARINDER SINGH SIDHU, J

Prayer is for grant of regular bail in case FIR No.161 dated 19.07.2021 under Sections 302,452,34 IPC registered at P.S Bass, District Hansi.

FIR was lodged on the complaint of Kashmir Singh, who stated that they were five brothers and three sisters. His eldest brother was Rajbir. Complainant was next. Younger to the complainant was Inderjit while Chandergupt was younger to Inderjit. Ram Chander was the youngest brother. Chandergupt was married whereas all other brothers were unmarried. Their mother Bhateri Devi was alive. All sisters were married and were residing separately. His brother Chandergupt was living separately along with his family. Other brothers lived jointly with their mother. Complainant further stated that his brother Chandergupt had been quarrelling and abusing his brother Rajbir because he suspected Rajbir of harassing his wife Priyanka (petitioner). On 12.07.2021 at about 10.30 a.m,

he received a phone call from his mother that Chandergupt along with his

wife Priyanka (petitioner) and Sunny resident of Village Dharam Khedi had come to the house. They beat Rajbir with iron hammer and wooden stick and that Rajbir was lying in injured condition in the house. The complainant rushed the injured to Government Hospital, Hisar from where he was referred to Agroha. However, taking into account the serious condition of his brother, he got him admitted in Medicity Hospital, Hisar. Then he was referred to PGIMS Rohtak where he died on 18.07.2021.

It is the case of prosecution that on 27.07.2021, Chandergupt was arrested. On his disclosure statement, a wooden stick used in the crime was recovered. Petitioner was arrested on 07.08.2021.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated. The police had gone to Medicity Hospital on 13.07.2021. Complainant and the sister Sheela were present there. They stated that they were not aware of the incident and only Rajbir would be able to disclose how he suffered injuries. Complainant only disclosed that Chandergupt had quarreled with Rajbir and caused injuries to him and that he did not know anything beyond that. It is only after Rajbir had died that the complainant named the petitioner along with co-accused.

He states that the petitioner is in custody for more than five months. No recovery has been effected from her. The petitioner has a three years old son, who is residing with her close friend. Investigation in this case is complete and report under Section 173 Cr.P.C has been filed. Charges have been framed. Trial of the case may take long time. There is no material directly implicating the petitioner with the alleged offence.

Without commenting anything on the merits of the case and also bearing in mind the facts of present case coupled with the fact that the

trial is not likely to be concluded in near future, in my opinion, no useful purpose will be served by detaining the petitioner behind bars any further.

The petition, as such, is accepted. The petitioner Priyanka is ordered to be released on bail on her furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

This present petition stands accepted accordingly.

February 21 2022
manoj

(Harinder Singh Sidhu)
Judge

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No