

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

CRM-M-7601-2022 (O&M)
Date of Decision:-27.9.2022

Geeta ... Petitioner

Versus

State of Haryana and another ... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. K.P.S. Virk, Advocate and
Mr. J.S. Kang, Advocate for the petitioner.

Mr. Krishan K. Chahal, Addl.A.G., Haryana.

Mr. Tanvir Singh Grewal, Advocate for the complainant.

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner has approached this Court seeking grant of regular bail in respect of a case registered vide FIR No.264, dated 25.9.2020, Police Station Sadar Industrial Sector-7, Manesar, District Gurugram, under Sections 148, 149, 323, 325 and 506 of Indian Penal Code, wherein offence under Section 302 IPC was added later on.
2. The FIR in question was lodged at the instance of Amneesh Kumar, wherein it is alleged that they are having a dispute with their brother Om Parkash as regards a passage. It is alleged that on 25.4.2020, when his wife Sunita Devi was making 'dung cakes' on the said passage, then Krishna daughter of complainant's uncle Om Parkash, Geeta wife of Suresh, Dinesh, Naresh son

of Om Parkash, Ankit son of Suresh and one more person, who runs a 'Samosa rehri' and a tenant of Om Parkash, and Om Parkash himself came there. Upon hearing the commotion, complainant's younger brother Mohit, his mother Saroj and his father Ganga Sharan also reached there. Ankit, Dinesh and Naresh brought sticks from their house. It is alleged that Ankit inflicted a blow with stick on the back of Ganga Sharan's head. Thereafter, all the accused inflicted injuries to the complainant, his wife Sunita, his mother Saroj and to his brother Mohit. Krishna and Geeta are alleged to have given fist blows to complainant's wife Sunita. On account of receipt of said injuries, complainant's father Ganga Sharan is stated to have died.

3. The learned counsel for the petitioner has submitted that a false FIR has been lodged and the entire family of Om Parkash has been roped in and even the lady members have not been spared. It has been submitted that petitioner Geeta is daughter-in-law of Om Parkash and had no role whatsoever in the alleged occurrence and that, in any case, since she has been behind bars since the last about 2 years and only 4 PWs out of cited 30 PWs have been examined as on date, the petitioner deserves to be released on regular bail. Learned counsel for the petitioner has submitted that co-accused Krishan has already been granted bail.
4. On the other hand, learned State counsel assisted by learned counsel for the complainant has submitted that since apart from the deceased there are 4 other injured, it is evident that the same was not handiwork of 1 or 2 persons and that a large number of persons had inflicted injuries.
5. Learned counsel for the complainant has referred to certain photographs annexed with the petition as Annexure P-7 and has contended that a lady

shown therein carrying a stick is Geeta (petitioner) and that, as such, her involvement is clearly evident and she does not deserve the concession of bail.

6. The learned State Counsel has, however, informed that the petitioner as on date, has been behind bars since the last about 2 years and otherwise has a clean record. Learned State counsel has informed that as on date 4 PWs out of the cited 30 PWs have been examined.
7. This Court has considered rival submissions.
8. Without commenting anything as regards merits of the case but while bearing in mind that the petitioner is a lady aged 39 years and has been behind bars since the last about 2 years and otherwise has a clean record, further detention of the petitioner will not serve any useful purpose as conclusion of trial is likely to consume time since only 4 PWs out of the cited 30 PWs have been examined so far.
9. The petition, as such, is 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.

27.9.2022

geeta

**(Gurvinder Singh Gill)
Judge**

Whether speaking /reasoned Yes / No

Whether Reportable Yes / No