

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Sr. No. 206

CRM-M-23670-2022

Date of decision : 01.12.2022

Smt. Sonu

..... Petitioner

VERSUS

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr.R.S.Sharma, Advocate, for the petitioner.
Ms.Kirti Singh, DAG, Haryana.

DEEPAK SIBAL, J. (ORAL)

The present petition has been filed under Section 439 Cr.P.C. for the grant of regular bail in FIR No.231 dated 02.07.2020, registered under Sections 323, 328, 302 and 34 IPC at Police Station Sadar Fatehabad, District Fatehabad.

The petitioner, alongwith her co-accused, is being prosecuted for having administered poison to her husband leading to his death.

Learned counsel for the petitioner submits that the petitioner, who is a 32 year old lady, has been falsely implicated in this case; she does not have any other criminal antecedents; she is in custody since 19.07.2020; co-accused Prem Kumar and Gurmish have already been granted regular bail by the Trial Court; all the material witnesses in the petitioner's trial have since been examined; all the ten prosecution witnesses examined so far have turned hostile and that since 19 prosecution witnesses still remain to be examined in the petitioner's trial, the same is likely to take a long time to conclude.

Learned State counsel opposes the grant of bail to the petitioner on the ground that she alongwith her co-accused administered poison to her husband leading to his death and that as per the FSL poison has been detected in the stomach etc. of the deceased.

The petitioner is a 32 year old lady; she does not have any other criminal antecedents; she is in custody for the last two years and four months; co-accused Prem Kumar and Gurmesh have already been granted regular bail by the Trial Court; all the material witnesses in the petitioner's trial have since been examined; all the ten prosecution witnesses examined so far have turned hostile and that since 19 prosecution witnesses still remain to be examined in the petitioner's trial, the same is likely to take a long time to conclude.

In view of the above, the present case is considered to be a fit one in which the petitioner be directed to be released on regular bail. Resultantly, subject to the satisfaction of the CJM/Duty Magistrate, Fatehabad the petitioner is directed to be released on bail.

It is clarified that the above observations have been made only for the limited purpose of deciding the present regular bail application and the same would not be construed to be an expression of opinion on the merits of the case.

01.12.2022
shamsher

[DEEPAK SIBAL]
JUDGE

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