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

CRM-M-24558-2022

Date of Decision: 03.08.2022

Meena

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. Rakesh Nehra, Senior Advocate assisted by
Mr. Reetesh Kumar, Advocate,
for the petitioner.

Mr. Naveen S. Panwar, DAG, Haryana.

JASGURPREET SINGH PURI, J. (ORAL)

The present petition has been filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in case bearing FIR No.154 dated 19.04.2021, under Sections 302, 201, 341, 34 & 120-B IPC and Sections 25/27/29 of the Arms Act, 1959, registered at Police Station Sadar, District Rohtak.

Reply by way of affidavit of Deputy Superintendent of Police, Rohtak has been filed on behalf of the respondent/State and the same is taken on record.

It has been argued by learned Senior Counsel for the petitioner that it is a case where the allegations were pertaining to killing of one person, namely, Hariom and during the investigation, it was found that three persons had killed the brother of the complainant and as per the affidavit

filed by the State, the petitioner is the mother of one of the co-accused, namely, Rahul and it was found that the petitioner used to talk on telephone with deceased Hariom and the aforesaid Rahul had some suspicion in this regard and consequently, he was killed by three persons and so far as the role of the present petitioner is concerned, her role was that she had conspired with Rahul and the other co-accused. He further submitted that the petitioner is a lady aged 38 years and is in custody from 20.05.2021. He also submitted that the investigation of the case has been completed and no recovery is to be effected from the petitioner and has, therefore, prayed for grant of regular bail to the petitioner.

On the other hand, Mr. Naveen S. Panwar, learned DAG, Haryana has stated that it is correct that the role of the petitioner was that she had conspired with Rahul and the other co-accused, who had killed the deceased and it is also correct that she is in custody from 20.05.2021. He has, however, opposed the grant of regular bail to the petitioner on the ground that the matter is serious in nature.

I have heard the learned counsel for the parties.

The petitioner is a lady aged 38 years and is in custody for more than one year. Even as per the prosecution story, she used to talk on telephone with the deceased Hariom and that was a reason as to why the deceased was killed by Rahul-son of the petitioner and the other co-accused. The role attributable to the petitioner as per the prosecution is that she had conspired with her son-Rahul and the other co-accused and no recovery is to be effected from her, therefore, in view of the aforesaid facts and circumstances, this Court deems it fit and proper to grant bail to the

petitioner.

Consequently, the present petition is allowed and the petitioner is ordered to be released on bail on furnishing bail bond/surety bond to the satisfaction of the trial Court/Duty Magistrate concerned, if not required in any other case.

However, anything observed hereinabove shall not be treated as an expression of opinion on merits of the case and is only meant for the purpose of decision of present petition.

03.08.2022

Bhumika

(JASGURPREET SINGH PURI)
JUDGE

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| 1. Whether speaking/reasoned: | Yes |
| 2. Whether reportable: | Yes/No |