

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

**CRM-M-37054 of 2022
Date of Decision:- 08.12.2022**

Sunita

....Petitioner

Vs.

State of Haryana

....Respondent

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

Present:- Mr. Sahil Choudhary, Advocate
for the petitioner.

Mr. Vishal Kashyap, DAG Haryana.

Mr. Bhupender Singh, Advocate for complainant.

KARAMJIT SINGH, J.(Oral)

Prayer is for grant of regular bail to the petitioner in case
FIR No.153 dated 25.06.2021 under Sections 323, 324, 307, 302,
326, 506, 34 IPC, Police Station Chhachrauli, District Yamuna Nagar.

Reply by way of affidavit of Narender Singh HPS,
Deputy Supdt. Of Police, Yamuna Nagar along with Annexures R-1
to R-10 filed, which are ordered to be taken on record.

The counsel for the petitioner submits that in the present
case the entire family of Ram Lal has been falsely implicated at the
instance of the complainant. The counsel for the petitioner further
submits that as per the allegations appearing on record petitioner who
is wife of Ram Lal and her daughter gave danda blows to Kusum
Lata wife of complainant. The counsel for the petitioner further

submits that there are no allegations that both mother and daughter caused any injury to deceased Kuldeep. The counsel for the petitioner further submits that the aforesaid daughter of the petitioner has already been granted concession of regular bail by this Court vide order dated 24.05.2022, Annexure P-5. It is further submitted that the petitioner is languishing behind the bars for last more than 1 year and 5 months and it will take considerable time for the trial to conclude and as such, prayer is made to grant regular bail to the petitioner.

The present petition is opposed by the State counsel as well as by the counsel for complainant, both of whom submit that at the time of occurrence Ram Lal gave gandasi blow on the head of Kuldeep (deceased) and his son who was armed with danda also came there and both of them dragged Kuldeep inside their house and when Narpal brother of the complainant tried to save Kuldeep, the petitioner and her daughter also came there and they gave danda blows to the Kusum Lata wife of complainant, while Ram lal gave gandasi blow on the person of Narpal and Sandeep son of Ram Lal gave danda blows to the complainant. It is further submitted that the petitioner actively participated in the above said occurrence. It is further submitted that the trial is going on and as such, no ground is made to grant bail to the petitioner.

I have considered the submissions made by counsel for the parties.

As per the allegations appearing on record no injury to deceased Kuldeep is attributed to the petitioner who is stated to be armed with danda and gave its blows to Kusum Lata wife of the complainant. There are also similar allegations against her daughter Ritu who was juvenile and has been granted bail by this Court vide order dated 24.05.2022 (Annexure P-5). The petitioner is in custody for the last more than 1 year 5 months. The petitioner has been charged for murder of Kuldeep with the aid of Section 34 IPC and her complicity will be unfolded during the trial and it will take considerable time for the trial to conclude. So no purpose is going to be served by keeping the petitioner in custody for any longer period.

In light of the above, this Court is of the opinion that no purpose is going to be served by keeping the petitioner in custody for any longer period. Thus without commenting on the merits of the case the present petition is hereby accepted and the petitioner is ordered to be released on bail subject to her furnishing bail and surety bonds to the satisfaction of the Trial Court/CJM/Duty Magistrate concerned.

Disposed of accordingly, so also the pending miscellaneous application(s), if any.

08.12.2022

P. Chawla

**(KARAMJIT SINGH)
JUDGE**

Whether reasoned / speaking?

Yes / No

Whether reportable?

Yes / No