

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-44730-2021

Date of decision : 27.4.2022

Santro

..... Petitioner (s)

Versus

State of Haryana

..... Respondent (s)

CORAM: HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

Present: Mr. Y.P. Malik, Advocate
for petitioner.

Mr. Saurabh Girdhar, AAG Haryana.

-.-

-.-

HARINDER SINGH SIDHU, J.

This is a petition filed under Section 439 Cr.P.C. for grant of regular bail in case FIR No. 364, dated 3.6.2021 registered under Sections 120 B, 148, 149, 302, 323 IPC at Police Station Sonipat City, District Sonipat.

FIR was lodged on the complaint of Smt. Santra who stated that plot of one Suresh was adjacent to their plot. Suresh used to tether his cattle in their plot. On 2.6.2021 Suresh had pasted dung cakes on the wall which fell towards the house of complainant. The complainant and her family members had raprimanded Suresh for this. On this Suresh and his family members picked up a quarrel with complainant's family. Both the parties were called to police station. On 3.6.2021 at about 2.00 pm, complainant alongwith her husband Jagdish, her sisters in law Kavita and Kamla was proceeding towards police station on foot. When they reached near Mata Chowk, Kalupur, Suresh alongwith his sons Amit, Sumit, Anil, Sunil, Santro (petitioner) wife of Suresh, Ramesh and his sons Vinder, Shoki, Kalu and Meera, wife of Ramesh came there in 2 cars. They were carrying lathis, dandas and farsa. They attacked the complainant, her husband and other family members with sharp edged weapons. Meanwhile, Parveen, Ram, Shyam and some others also came there. They also instigated the accused persons to teach a lesson

to complainant and his family members. They also attacked the complainant and her husband and also pelted stones. Her husband Jagdish and sisters in law Kavita and Kamla suffered injuries. Thereafter, all the assailants fled away. Her husband Jagdish had suffered serious injuries. He was taken to hospital where doctor declared him dead.

As per post mortem examination, deceased Jagdish had suffered 7 external injuries. 4 injuries were caused by the use of heavy sharp edged weapon and 3 injuries were caused with blunt weapon.

Mr. Malik, learned counsel for petitioner has argued that though petitioner is alleged to have accompanied other assailant, however, she was alleged to be carrying a small danda. There is no specific allegation in FIR that she hit deceased or other injured with danda. The petitioner is an old lady of about 55 years. 5 accused are in custody. There are 21 prosecution witnesses. Only 4 have been examined so far. The petitioner is in custody since 5.6.2021 i.e. about 11 months.

Considering the aforesaid facts and circumstances, no useful purpose would be served by keeping the petitioner behind bars. Hence, petition is allowed. Petitioner Santro is ordered to be released on bail on her furnishing bail bond/surety bond to the satisfaction of learned Trial Court/Duty Magistrate concerned.

(HARINDER SINGH SIDHU)
JUDGE

27.4.2022
sjks

Whether reasoned order : Yes / No
Whether reportable : Yes / No