

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

217

CRM-M-51992-2021

Date of Decision : August 29, 2022

BALA

.....Petitioner

VERSUS

STATE OF HARYANA

.....Respondent

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present : Mr. Neeraj Goel, Advocate
for the petitioner.

Mr. Ranvir Singh Arya, Addl. Advocate General, Haryana.

JASGURPREET SINGH PURI. J. (Oral)

Mr. Neeraj Goel, Advocate has appeared on behalf of the petitioner and has filed his power of attorney which is taken on record.

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 FIR No.208 dated 10.8.2021 under Sections 302/34 IPC, challaned under Sections 302/120-B IPC, registered at Police Station Chhainsa, District Faridabad.

The learned counsel for the petitioner has submitted that the petitioner is in custody from 11.8.2021 which is more than one year. He submitted that the investigation of the case has been completed and thereafter the challan has been presented before the competent Court. He further submitted that as per the allegations the husband of the deceased, namely, Jitender was having relationship with the present petitioner and the present petitioner had conspired with the aforesaid Jitender for killing

the deceased who was his wife. He submitted that the investigation has already been completed and no recovery is to be effected from the petitioner and the entire case is based upon suspicion only and apart from the same, as per the prosecution itself the role of the petitioner was only confined to conspiracy.

On the other hand, the learned State counsel has submitted that it is correct that the petitioner is in custody from 11.8.2021 and the investigation of the case has been completed and no recovery is to be effected from the petitioner. He further submitted that the petitioner has conspired with the other co-accused, namely, Jitender for killing the niece of the complainant.

I have heard the learned counsels for the parties.

The petitioner is a lady of the age of 37 years and she has faced incarceration for more than one year. The investigation of the case has already been completed and as per the learned counsels for the parties no recovery is to be effected from the petitioner. The role of the petitioner as per the State counsel is that she has conspired with the other co-accused, namely, Jitender. The trial of the case may take long time. Furthermore, it is not the case of the State that in case the petitioner is released on bail then she may influence any witness or may tamper with any evidence or may flee from justice.

Therefore, without commenting upon the merits and circumstances of the present case, the present petition is allowed. The petitioner is ordered to be released on bail on furnishing of bail bonds and surety bonds to the satisfaction of concerned Chief Judicial

Magistrate/trial Court/Duty Magistrate.

However, anything observed here-in-above shall have no effect on the merits of the case and is meant for deciding the present petition only.

August 29, 2022
ajay-1

(JASGURPREET SINGH PURI)
JUDGE

Whether speaking/reasoned.	:	Yes/No
Whether Reportable.	:	Yes/No