

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

305

CRM-M-54501-2022
Date of Decision:-**07.12.2022**

Sarbari

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

Present:- Mr. Saleem Ahmed, Advocate
for the petitioner.

Mr. Vishal Kashyap, AAG, Haryana.

KARAMJIT SINGH, J. (Oral)

Prayer is for grant of regular bail in case having FIR No.295 dated 27.09.2022 registered under Sections 429, 34 IPC-1860, Section 13(1) of HGSC Act 2015 and Sections 25, 54, 59 Arms Act, 1959 at Police Station Dhauj, District Faridabad(Haryana).

The counsel for the petitioner *inter alia* contends that the petitioner is a lady aged about 50 years and is having no criminal history and that she has been falsely implicated in the present case. He further submits that the recoveries have already been effected in this case and on completion of investigation, police has presented the challan and it will take time for the trial to conclude even after the framing of charges. So, prayer is made that the petitioner being released on bail.

The present petition is opposed by the State counsel on instructions from ASI Manoj Kumar and he submits that the petitioner was apprehended at the spot along with one slaughtered cow which was cut into two pieces. However, the State counsel has not disputed the fact that after completion of investigation the police has submitted report under Section 173 Cr.P.C against the petitioner and other accused persons but the trial is yet to commence.

In the instant case, the recoveries are already effected and after completion of investigation police has presented the challan against the petitioner but it will take considerable time for the trial to conclude, even after its commencement and presently the petitioner who is a lady is lodged in judicial custody and she is having no criminal history.

In light of the above, this court is of the view that no purpose is going to be served by keeping the petitioner in judicial custody for any longer period.

Thus without commenting on the merits of the case, the petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing bail and surety bonds to the satisfaction of the trial Court/CJM/Duty Magistrate concerned.

07.12.2022
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(KARAMJIT SINGH)
JUDGE

Whether reasoned / speaking?	Yes / No
Whether reportable?	Yes / No