

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

CRM-M-4599-2023

DECIDED ON: 03.02.2023

ASHA

.....PETITIONER

VERSUS

STATE OF HARYANA

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL.

Present: Mr. Naresh K. Chhokar, Advocate for the petitioner.

Mr. Bhanu Udai, Advocate for

Mr. Vikas Gulia, Advocate for the complainant.

SANDEEP MOUDGIL, J (ORAL)

This is a petition seeking regular bail in FIR No.122, dated 05.07.2020 under Sections 302, 201, 120-B, 34 of the Indian Penal Code, 1860, registered at Police Station Mohana, District Sonipat.

Learned counsel for the petitioner contends that the petitioner was roped in the FIR only on the basis of disclosure statement made by the wife of the deceased, alleging that a mobile phone was used in the said offence, which has been recovered from the possession of the petitioner.

Notice of motion.

On the asking of Court, Mr. Gagandeep Singh Chhina, AAG, Haryana accepts notice on behalf of respondent-State and has filed the custody certificate of the petitioner which is taken on record. According to the custody certificate, the petitioner is behind the bars for the last 2 years, 6 months and 26 days.

Learned State counsel states that the role of the petitioner is very specific to the commission of offence of murder by creating a trap by taking the deceased to the fields and strangulated him to death and his naked dead body was found lying in the bushes. He further submits that the petitioner in connivance with other persons committed the above-said offence and therefore, does not deserve the concession of bail at this stage, wherein the trial is midway and there is every apprehension of her impressing upon any of the witnesses as the trial is at its fag end, wherein out of 17 witnesses, 14 have been examined.

Be that as it may, considering the stage of the trial and the specific allegations qua the petitioner, who is involved in the commissioning of offence under Section 302 alongwith Sections 201, 120-B of the Indian Penal Code, 1860 does not entitle for concession of bail as prayed for in the present petition.

In view of the above, the present petition is dismissed.

(SANDEEP MOUDGIL)
JUDGE

03.02.2023

Meenu/Poonam Negi

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