

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-20788-2023
DECIDED ON- 28.04.2023

AAMINI

.....PETITIONER

VERSUS

STATE OF HARYANA

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL.

Present: Mr. Paras, Advocate for
Mr. Anirudh Singh Shera, Advocate
for the petitioner.

SANDEEP MOUDGIL, J (ORAL)

1. The instant petition has been filed for grant of anticipatory bail by way of instant petition under section 438 Cr.P.C. in FIR No.0262 dated 18.05.2022, registered under Sections 148, 149, 323, 452 and 506 of Indian Penal Code, 1860 (and later on Section 302 of IPC was added after the victim/deceased. aged 14 years, succumbed to the injuries.) (Annexure P-1).

2. Learned counsel for the petitioner vehemently contends that the petitioner is 70 years old lady and has been falsely implicated in the instant case and has not attributed any injury whatsoever upon the deceased.

3. Notice of Motion.

4. Mr. Gagandeep Singh Chhina, AAG, Haryana, who is present in the Court, accepts notice on behalf of respondent No.1-State and submits that as per pervious report submits that the petitioner is the main accused,

who has given axe blow on the head of the deceased, who is a young boy, aged only 14 years, due to which finally, he succumbed to injuries on 18.05.2023, during treatment at Safdarjung Hospital, Delhi, as is evident from the disclosure statement dated 01.06.2022 (Annexure P-2) of accused Arshad. A perusal of the disclosure statement of other accused namely Zuber and Akbar, demonstrates the gravity, in which, the offence has been committed by the petitioner and other accused persons, using axe (kulhadi) and stick (lathi) blows upon the body of a minor.

5. Learned State counsel has further contended that the petitioner is evading her arrest since long and her arrest warrants were got issued repeatedly. Her custodial interrogation is required for the recovery of weapon of assault.

6. The another contention raised by the learned counsel for the petitioner is that the other co-accused Arshad and Akbar have been granted regular bail by this Court.

7. Learned State counsel has drawn distinction between the role attributed to Arshad and Akbar with that of the petitioner, being on serious footing, who had given axe blow on the head of the deceased.

8. In the light of the above, keeping in view, the nature of the injury given to the deceased that too a minor child of 14 years of age and also keeping in mind, the recovery of weapon, which is yet to be effected, the custodial interrogation of the petitioner is necessary to unearth all the ramifications involved in the present case.

9. Hence, the present petition being devoid of any merits is dismissed.

28.04.2023
manisha

(SANDEEP MOUDGIL)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>