

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

CRM-M-27319-2023

Decided on:-01.06.2023

Rani

....Petitioner..

VS.

State of Haryana

....Respondent.

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Nikhil Kumar Vashisht, Advocate,
for the petitioner.

Mr. Gaurav Bansal, AAG, Haryana.

HARKESH MANUJA J. (Oral)

1. By way of present petition filed under Section 439 Cr.P.C, prayer has been made for grant of regular bail pending trial in case FIR No.121 dated 22.03.2022, under Sections 302 and 34 IPC, registered at Police Station Nissing, District Karnal, Haryana.

2. As per the allegations levelled in the FIR, the petitioner gave a tiffin blow to Kashmir Singh (since deceased).

3. Learned counsel for the petitioner submits that the investigation in the present case already stands concluded with the filing of challan, followed by framing of charges, however, none of the prosecution witness has been examined out of total of 17, thus, trial is likely to take some time. He further submits that petitioner is a lady of 45 years of age, who is in custody for the last 1 year and 03 months, with no past criminal antecedents.

Moreover, co-accused of petitioner has already been granted the concession

of regular bail by this Court vide order dated 02.05.2023 passed in CRM-M-20836-2023.

4. On the other hand, prayer made in the present petition has been vehemently opposed by learned State counsel while submitting that petitioner played an active role in the incident, resulting into the death of Kashmir Singh.

5. I have heard learned counsel for the parties and gone through the paper-book. I find substance in submissions made on behalf of the petitioner.

6. Considering the fact that the petitioner is behind the bars for a period of more than 1 year and 3 months, investigation in the present case already stands concluded with the filing of challan, followed by framing of charges and trial likely to take time as none of the prosecution witness has been examined out of total of 17, besides it, the petitioner being a lady of 45 years with no past criminal antecedents as well as the fact that her co-accused has already been granted the concession of regular bail by this Court vide order dated 02.05.2023 passed in CRM-M-20836-2023, I do not find any reason to extend her incarceration, any further.

7. In view of the above, without expressing any opinion on the merits of the case, the present petition is allowed and petitioner is ordered to be released on bail, subject to her furnishing bail bonds and surety bonds to the satisfaction of the concerned trial Court/Duty Magistrate.

01.06.2023
sonika

(HARKESH MANUJA)
JUDGE

Whether speaking/reasoned:
Whether reportable:

Yes/No
Yes/ No