

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

238

CRM-M-31842-2023 (O&M)

Date of Decision: 20.07.2023

SUMITRA ALIAS SANTRA

... Petitioner

Versus

STATE OF HARYANA

... Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Manoj Tanwar, Advocate
for the petitioner.

Mr. Vipul Sherwal, AAG, Haryana.

HARNARESH SINGH GILL, J.(Oral)

Through this petition, the petitioner seeks regular bail in case bearing FIR No.47 dated 30.01.2023, registered under Sections 302 and 34 IPC, at Police Station Ganaur, District Sonapat.

Learned counsel for the petitioner submits that the allegation against the petitioner is that she gave kick and fist blows to Ankit (since deceased); that the petitioner is 60 years old lady, who has been in custody since 30.01.2023; that though the petitioner was named in the FIR, yet the fact remains that no specific injury has been attributed to her; that out of total 21 prosecution witnesses, none has been examined so far and that there is no other case registered and/or pending against the petitioner. He further submits at Bar that as per the challan, no recovery was effected from the petitioner.

Per contra, while opposing the prayer for grant of regular bail to the petitioner, learned State counsel does not dispute the custody

period of the petitioner. He, however, submits that the petitioner had actively participated in the occurrence, inasmuch as, she along with co-accused had committed murder of Ankit, who is the resident of the same village. He further submits that post framing of the charges, the prosecution evidence is yet to commence and thus, the petitioner be not granted the concession of regular bail.

I have heard the learned counsel for the parties.

The petitioner is a 60 years old lady, who has been in custody since 30.01.2023. There is no other case against the petitioner. No specific injury has been attributed to the petitioner. No recovery was effected from the petitioner. Prosecution evidence is yet to commence. In such circumstances, the trial of the case would take a long time to conclude. Therefore, no useful purpose would be served by keeping the petitioner behind the bars.

In view of the above and without commenting anything on the merits of the case, lest it should prejudice the case of either side, the present petition is allowed and the petitioner is ordered to be released on bail on her furnishing bail/surety bonds to the satisfaction of the learned trial Court/Duty Magistrate/Chief Judicial Magistrate concerned.

20.07.2023

Aman Jain

(HARNARESH SINGH GILL)

JUDGE

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