

CRM-M-58334-2023

2023:PHHC:149827

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(231)

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-58334-2023

Date of Decision: 23.11.2023

SARAVJEET KAUR @ JEETO

... Petitioner

Versus

STATE OF HARYANA

...Respondent

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

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

Mr. Kanwar Sanjiv Kumar, Asstt. A.G., Haryana.

JASJIT SINGH BEDI, J.

The prayer in the present petition under Section 439 Cr.P.C. is for the grant of regular bail in case bearing FIR No.251 dated 15.07.2023 registered under Sections 380/457/511 IPC (Section 379-B IPC added later on) at Police Station Pehowa, District Kurukshetra.

2. The present FIR came to be registered at the instance of Sindar son of Banarasi Dass who stated that while he was sleeping in his courtyard of his house, his sister Bala started screaming loudly. He saw his mother Kasturi Devi screaming loudly and a woman wearing Pajama and a black t-shirt. The woman jumped from the stairs of their (complainant party's) house into the street. He and his sister Bala followed the woman and brought her back. He found that the woman had put red chilly powder in the eye of his mother and his grandson. The name of the woman was Saravjeet Kaur @ Jeeto (petitioner) wife of Gopal.

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3. The learned counsel for the petitioner contends that the petitioner has been falsely implicated in the present case. Nothing was recovered from her. As the petitioner was in custody since 15.07.2023, none of the 16 prosecution witnesses had been examined so far and she was a first-time offender, she was entitled to the concession of bail.

4. On the other hand, the learned State counsel contends that serious allegations had been levelled against the petitioner. She was arrested at the spot and the recovery of one ear-ring was effected from her. Therefore, she was not entitled to the concession of bail. He, however, concedes that the petitioner was a first-time offender, in custody since 15.07.2023 and that none of the 16 prosecution witnesses had been examined so far.

5. I have heard the learned counsel for the parties.

6. The veracity of the prosecution case against the petitioner shall be adjudicated upon during the course of the Trial. Admittedly, the petitioner is stated to be a first-time offender, in custody since 15.07.2023 and none of the 16 prosecution witnesses have been examined so far. Therefore, her further incarceration is not required.

7. Thus without commenting on the merits of the case, the present petition is allowed and the petitioner-Saravjeet Kaur @ Jeeto wife of Gopal is ordered to be released on bail subject to her furnishing bail bonds and surety bonds to the satisfaction of learned CJM/Duty Magistrate, concerned.

8. The petition stands disposed of.

(JASJIT SINGH BEDI)
JUDGE

23.11.2023

JITESH

Whether speaking/reasoned:- Yes/No
Whether reportable:- Yes/No