

CRM-M No. 19385 of 2024

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

Sr. No. 213

CRM-M No.19385 of 2024

Date of Decision: 29.04.2024

Sunita

.....Petitioner

Vs.

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present:- Mr. Sanchit Punia, Advocate,
for the petitioner.

Mr. Gaurav Jindal, Addl.A.G., Haryana.

JASGURPREET SINGH PURI, J. (ORAL)

1. The present is a second petition filed under Section 439 of the Code of Criminal Procedure for the grant of regular bail to the petitioner in FIR No.81 dated 03.03.2023, under Sections 302 and 34 IPC, registered at Police Station Urban Estate Hisar, District Hisar.

2. Learned counsel for the petitioner submitted that the petitioner is a lady aged 45 years and is in custody from 03.03.2023 i.e. almost one year and one month. He submitted that it is a case where as per the allegations the deceased was already a married man and the petitioner used to visit and stay with the deceased person and on the date of death of the aforesaid deceased, the petitioner along with other co-accused, had gone to the house of the deceased and after intoxicating him, he was strangled. Learned counsel for the petitioner submitted that the petitioner had no role to play and has been falsely implicated in the present case. He further

submitted that the petitioner is not involved in any other case and has got clean antecedents. He also submitted that even otherwise also the complainant and two witnesses have already been examined. He further submitted that considering the aforesaid facts and circumstances, the petitioner may be considered for grant of regular bail.

3. On the other hand, learned State counsel submitted that the petitioner is a lady and in custody for one year and one month and two witnesses including the complainant stand examined. He, however, opposed the prayer for grant of bail in view of the gravity of the offence.

4. I have heard learned counsel for the parties.

5. The petitioner is a lady aged 45 years. The complainant and two more witnesses already stand examined. The petitioner is stated to be not involved in any other case. Furthermore, it is not the case of the learned State counsel that in case the petitioner is released on bail, then he may influence any witness or may tamper with evidence or may flee from justice.

6. Therefore, considering the aforesaid totality and circumstances of the present case, this Court deems it fit and proper to grant concession of regular bail to the petitioner.

7. Consequently, the present petition is allowed. The petitioner shall be released on regular bail, if not required in any other case, subject to furnishing bail bonds/surety bonds to the satisfaction of the learned trial Court/Duty Magistrate concerned.

8. However, anything observed hereinabove shall not be treated

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as an expression of opinion on the merits of the case and is meant for the purpose of deciding the present petition only.

29.04.2024 (JASGURPREET SINGH PURI)
monika JUDGE

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