



CRM-M-29725-2024 (O&M)

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**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH**

Sr. No.204**CRM-M-29725-2024(O&M)****Date of decision : 18.06.2024**

Murti Devi

..... Petitioner

VERSUS

State of Haryana

..... Respondent

CORAM: HON'BLE MS. JUSTICE KIRTI SINGH

Present: Mr. Ajay Kumar, Advocate, for the petitioner.

Mr. Saurabh Girdhar, AAG, Haryana.

KIRTI SINGH, J. (Oral)

This petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No.40 dated 08.02.2021 registered under Sections 302, 34, 201 and 120-B IPC (offences under Sections 201 and 120-B IPC added later on) at Police Station Cheeka, District Kaithal.

Learned counsel for the petitioner submits that the petitioner has not been named in the FIR and she was nominated in this case only on the basis of the supplementary statement of Sukhwinder Singh (PW-9) who has stated in his supplementary statement that he had seen the deceased with the present petitioner and her husband on 07.02.2021 at around 8.30 p.m. He further submits that PW-9 namely, Sukhwinder Singh has turned hostile during his examination. He further submits that the petitioner has been in custody for more than 03 years. The star and independence witnesses had been examined including the complainant.

Learned State counsel has filed custody certificate in Court

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the petitioner has undergone actual sentence of over 03 years and there is no other criminal case pending against the petitioner.

Considering the facts and circumstances of this case and in view of fact that the trial is likely to take some time, I do not find any reason to extend the incarceration of the petitioner any further.

Without commenting anything on the merits of the case, lest it may prejudice the trial, the present petition is allowed and the petitioner is ordered to be released on regular bail after furnishing adequate bail/surety bonds to the satisfaction of the concerned learned trial Court/Duty Magistrate.

It is made clear that this order may not be construed as expression of an opinion on the merits of the case.

(KIRTI SINGH)
JUDGE

18.06.2024

Ramandeep Singh

Whether speaking / reasoned

Whether Reportable

Yes/No

Yes/No