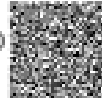
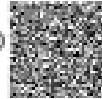


Date of Decision: 18.12.2024

...Respondent



Puja, daughter of Ramaldas, resident of Nurwala Mohalla, Panipat, for about 8/9 years. Yesterday, on 28-10-2023, at around 12-30 in the night, my nephew Tekchand, son of Premnath, resident of DAV Colony, Khurana Road, Kaithal, came to me. Who told me that some unknown boy had given many injuries to Khemchand's body, neck, head and face with a sharp weapon. With the help of the people in the neighborhood, I got him admitted to the government hospital, Kaithal. Then I came to know that Dr. Saheb had stripped my son Khemchand and referred him from Government Hospital Kaithal to PGI, Chandigarh. CCTV cameras are installed at the house of Gaurav son of Satish Kumar, resident of DAV Colony, Khurana Road, Kaithal, in the neighborhood of my son Khemchand. When I, my relatives and neighbors checked the CCTV camera footage taken at Gaurav's house, in the CCTV footage, on the night of 28-10-2023, my son's daughter-in-law Pooja opens the main door of her house and But after coming and calling, she places the phone on the corner of the main door and goes across the street towards Charan Das's house on other side and hides herself on the side of the street. After some time, a boy comes from the street on foot with a handkerchief tied over his mouth and stands at the door. The boy picked up the mobile phone kept by Pooja, entered the house, hit Khemchand, who was sleeping on the bed, with a sharp weapon and at around 23.43 hours came out of the house and went on foot. After leaving her son's house, Pooja came out of hiding and instead of going to her own house, she knocked on the doors of the neighborhood and then went to Prem Nath's house and started shouting loudly that someone had entered her house. When the people of the neighborhood reached Khemchand's house after hearing this, Khemchand was lying on the bed in his house in a serious condition, soaked in blood. Then I and my family and members of the organization asked Pooja twice, Pooja told that she has a friendship with Sagar son of Rajendra and Golu son of



Fakira Odd Rajput resident of Kahanor district Rohtak and that Pooja along with Sagar and Golu had planned to remove her husband Khemchand from the way. So that they can meet each other without fear. As part of the conspiracy, Pooja mixed sleeping pills in the food at the behest of Sagar and Golu. Sagar and Golu had come to Kaithal on a motorcycle and Pooja had deliberately kept her phone outside the gate so that Golu and Sagar could call and find out her house. Sagar, who was standing hidden on the side with the motorcycle, and Golu came to the street on foot, entered the house, attacked Khemchand's neck, head, and body with a sharp weapon, hatched a conspiracy, gave intoxicants, and killed my son Khemchand. Injured to commit murder. My son Khem Chand is undergoing treatment in PGI SEC 32, Chandigarh, and is unable to speak. Sagar's son Rajendra and Golu son Fakira residents of Kahanor district Rohtak and my wife Pooja have conspired and given fatal injuries to my son Khemchand with the intention of killing him. I request you to take legal action against Sagar, Golu and Pooja. SD Narayan Das Applicant.”

3. Learned counsel for the petitioner contends that the petitioner has been falsely involved in the present case only on the basis of suspicion. Even as per the allegations levelled by the complainant, Golu had caused injuries to Khem Chand, injured and the petitioner was not present at the place of occurrence. Even it has been alleged that the petitioner was having illicit relations with Sagar and after hatching a conspiracy, she managed an attack on Khem Chand, her husband. He further contends that Sagar has already been granted the concession of bail by this Court, vide order dated 11.11.2024.

4. On the other hand, learned State counsel has vehemently opposed the submissions made by learned counsel for the petitioner on the ground that

the petitioner is the main conspirator and had administered sleeping pills to Khem Chand.

5. I have heard the learned counsel for the parties and perused the record.

6. The petitioner is stated to be in custody since 30.10.2023 i.e. for the last more than 01 year and 02 months. Even the prosecution has been able to examine only 01 witness, out of total 24 witnesses and there is remote possibility of early conclusion of the trial. Moreover, co-accused, namely, Sagar, who is also similarly placed, has already been granted the concession of bail by this Court, vide order dated 11.11.2024 passed in CRM-M-25779-2024.

7. Without commenting on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on bail subject to her furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate, concerned.

18.12.2024.
hemlata

(N.S.SHEKHAWAT)
JUDGE

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