



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

212

CRM-M-56650-2023

Date of decision: 07.08.2024

GEETA RANI

....Petitioner

V/s

STATE OF HARYANA

....Respondent

CORAM: HON'BLE MR. JUSTICE MANJARI NEHRU KAUL

Present: Ms. Garima Sharma, Advocate, for the petitioner.

Mr.Gagandeep Singh Chhina, AAG, Haryana.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking the concession of bail under Section 439 of the Cr.P.C. in case FIR No.81 dated 14.06.2020 under Sections 302, 328 and 34 of the IPC registered at Police Station Naggal, District Ambala.

2. Learned counsel for the petitioner submits that the occurrence in question allegedly took place on 12.06.2020 and it was two days later that the FIR in question was registered at the instance of the brother of the deceased-Somnath wherein he levelled false and fabricated allegations against the petitioner that it was on account of her alleged illicit relations with the co-accused Surjit Singh that his brother had been poisoned to death. Learned counsel has submitted that the petitioner had been happily married with the deceased for almost 21 years and not even once had there been any untoward incident between the spouses; therefore, there was no occasion for the deceased to have laced the tea of her deceased husband



with poison in collusion with her paramour co-accused Surjit Singh. Learned counsel has further submitted that the petitioner has been in custody since 15.06.2020 and since all the material witnesses stand examined, and the trial has not yet concluded, her further incarceration would serve no useful purpose as there can be now no apprehension of the petitioner tampering with the evidence or intimidating the witnesses.

3. Per contra, learned State counsel while opposing the prayer and submissions made by the counsel opposite, has drawn the attention of this Court to the allegations levelled in the FIR which has been reproduced hereunder:-

“Statement of Sh. Somnath son of Sh. Lagru Ram caste Bajigar resident of Village Chaur Mastpur, Police Station Naggal, District Ambala aged 50 years mobile no.82955-40987. Got his statement recorded that I am a resident of the aforesaid address and I work as a labourer. We were three brothers and all of us were married and we live along with our families separately. My younger brother Jagir Singh has already expired. My youngest brother Amrik Singh aged 45 years whose marriage was solemnized with Geeta Devi daughter of Kalu Ram resident of Village Sai Ke Bagh around 20/21 years back who has four daughters and one son. The eldest daughter aged 20 years is married. That my brother Amrik Singh used to go daily to Labour Chowk, Ambala City for doing work of labour and used to work as labourer with mason. That as per his daily schedule he went to Ambala on dated 12.06.2020 in the morning for doing labour and came back home at around 06:00-06:30 in the evening who ate food after coming back home and then his health deteriorated further. My brother's wife Geeta Devi called her neighbourer Pawan Kumar son of Ajmer Singh and Satpal Singh son of Mahender Singh in the house and then they took my brother to Government Hospital, Chaur Mastpur. The doctor referred by



brother to Civil Hospital, Ambala City from there due to his health getting deteriorated further. Geeta Devi brought along my brother in an ambulance to Civil Hospital, Ambala City where the doctor after checking him declared him dead. Pawan Kumar gave us information in regard to this. I along with Pawan Kumar and my kith on receiving this information reached Civil Hospital, Ambala City where we saw the body of my brother Amrik Singh in the mortuary and there was no injury mark on his body. We did not have any suspicion on the death of my brother and we had recorded statement for getting the post mortem done so that the reason of his death could be known. On dated 14.06.2020, I and my family members had come to Civil Hospital, Ambala City and we came to know today that on dated 12.06.2020 my brother had been given some poisonous substance by friend of brother's wife Geeta Devi namely Surjit Singh son of Mehar Chand resident of Village Babba in collusion with Geeta Devi under a conspiracy after consuming which he has died. That Geeta Devi and her friend Surjit Singh have murdered him after making him consume some poisonous substance. Legal action be initiated against them. I have got my statement recorded with you read it and found it to be correct.”

It has been further submitted by the learned State counsel, on instructions, that Aluminium Phosphate was detected in the vicera of the deceased, followed by the recovery of an envelope containing the said poison from none other than the petitioner herself, which clinchingly nailed the petitioner in the crime in question. It has also been submitted by the learned State counsel that only 8 prosecution witnesses, who are formal in nature, remain to be examined and the next date before the trial Court is 14.08.2024 when in all likelihood the prosecution evidence shall stand concluded.



CRM-M-56650-2023

-4-

4. I have heard learned counsel for the parties and perused the relevant material placed on record.

5. In the facts and circumstances as enumerated hereinabove, and the alleged role attributed to the petitioner, this Court is not inclined to extend the concession of bail to the petitioner.

6. Accordingly, the instant petition is dismissed. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

7. At this stage, a prayer has been made for early disposal of the trial. In the circumstances the learned trial Court is directed to make earnest efforts to conclude the trial expeditiously preferably within the next four months as the petitioner has now been in custody for more than 4 years, having been arrested on 15.06.2020.

(MANJARI NEHRU KAUL)
JUDGE

August 07, 2024
poonam

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