

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

215

CRM-M-57374-2023 (O&M)
Date of decision: 10.04.2024

SHEELA

...Petitioner

Versus

STATE OF HARYANA

...Respondent

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present : Mr. Shivansh Malik, Advocate
for the petitioner.

Mr. Kirpal Singh Thakur, AAG, Haryana.

Mr. Nikhil Vats, Advocate
for the complainant.

HARPREET KAUR JEEWAN, J.

1. The present petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case bearing FIR No.112 dated 24.03.2023 (Annexure P-1) under Sections 304-B, 34, 406, 498-A of the IPC, registered at Police Station Meham, District Rohtak.
2. Custody certificate dated 09.04.2024 has been filed on behalf of the respondent-State, which is taken on record. As per the custody certificate, the petitioner has undergone 10 months and 01 days of actual custody.
3. Learned counsel for the petitioner *inter alia* contends that the petitioner has been falsely implicated in this case and she is in custody since 09.06.2023. He further contends that final report under Section 173 Cr.P.C. has

been presented before the trial Court and charges have also been framed. The petitioner is ready to face the trial. He further submits that the trial is going to take time to conclude, as such, prayer for releasing the petitioner on bail has been made.

4. On the other hand, learned State counsel on instructions from ASI Sombir has informed that investigation is complete; final report under Section 173 Cr.P.C. has been presented before the trial Court and charges have also been framed. As per the custody certificate, there is no history of other cases against the petitioner. He has informed that husband of the deceased has already been declared innocent during the investigation. There are total 29 prosecution witnesses and none of them have been examined so far.

5. Learned counsel for the complainant contends that FIR was registered in the heat of the moment and has no objection in case the present petitioner is released on regular bail.

6. I have considered the aforesaid contentions. Investigation is complete; the final report under Section 173 of the Code of Criminal Procedure has been presented before the trial Court and charges have also been framed. The petitioner is a female and the allegations against her are matter of trial, as to whether she has abetted in the commission of offence, which will take some time to conclude as there are total 29 witnesses, which are yet to be examined.

7. The petition is allowed. The petitioner is ordered to be released on regular bail, subject to her furnishing adequate bonds and surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

8. However, it is made clear that nothing expressed hereinabove would be construed to be an expression of opinion on merits of the case.

9. Pending miscellaneous application (s), if any, shall also stand disposed of.

(HARPREET KAUR JEEWAN)
JUDGE

10.04.2024
P.Bhatt

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