

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRA-S-3783-2023
DECIDED ON: 16.04.2024

NEETU ANNOTIYAAPPELLANT
VERSUS
STATE OF HARYANA AND ANOTHERRESPONDENTS

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL.

Present: Mr. Rajesh Lamba, Advocate, for the appellant.
Mr. G.S. Dhillon, AAG, Haryana.
Mr. Manish Soni, Advocate, for the complainant.

SANDEEP MOUDGIL, J (ORAL)

1. By way of instant appeal, the appellant has sought regular bail in case FIR No. 304, dated 16.04.2019, under Sections 302, 201, 120-B and 34 IPC and Section 3(2)(v) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989, registered at Police Station Mujessar, District Faridabad.
2. It has been contended by learned counsel for the appellant that the petitioner has been falsely implicated in the present case on the basis of suspicion. It has further been contended that except oral statement of the complainant and disclosure statements of co-accused, there is nothing incriminating against the appellant. The appellant has been apprehended merely on the basis of call details, which is a matter of evidence and has to be proved at appropriate stage. It is asserted that the appellant was not present at the spot. Further assertion is that the person i.e. Rohit, who was standing near the place of occurrence has already been granted the concession of regular bail by this Court vide order dated 18.07.2023 passed in CRM-M-43201-2020 (Annexure P-3), titled as Rohit vs. State of Haryana.

3. Custody certificate of the appellant filed by learned State counsel is taken on record. According to which, it is clear that the appellant is not involved in any other case of any nature, meaning thereby, she is not habitual offender.
4. Learned State counsel as well as counsel for the complainant has vehemently opposed the prayer made in the present appeal stating that the appellant was having illicit relationship with Sumit, who in conspiracy with Sumit and Manish @ Bhura have murdered the son of the complainant. Though, does not controvert the fact with regard to the grant of regular bail to the co-accused namely Rohit.
5. Be that as it may, considering the custody period undergone by the appellant i.e. 4 years 11 months and 29 days added with the facts that the co-accused namely Rohit has been granted the concession of regular bail by this Court vide order dated 18.07.2023 (Annexure P-3); conclusion of trial shall take considerable time, this Court is of the opinion that no useful purpose would be served by keeping the appellant behind the bars for an indefinite period, which would also curtail her right to life and liberty, as enshrined under Article 21 of the Constitution, which includes right to speedy trial and expeditious disposal.
6. In view of the discussions made hereinabove, the present appeal is allowed and the appellant is ordered to be released on regular bail subject to her furnishing requisite surety/bail bonds to the satisfaction of learned trial Court/Duty Magistrate concerned.
7. Ordered accordingly.

(SANDEEP MOUDGIL)
JUDGE

16.04.2024
Sham

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