

2025:PHHC:039281



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

CRM-M-64763-2024 (O&M)

Reserved on : 19.03.2025

Pronounced on : 25.03.2025

Rani Devi

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present:- Mr. Sandeep Saini, Advocate
for the petitioner.

Mrs. Sheenu Sura, Deputy Advocate General, Haryana.

MANISHA BATRA, J.

1. Prayer in this petition, filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, is for grant of regular bail to the petitioner in FIR No. 31 dated 20.02.2023, registered under Sections 302 read with 120-B of IPC and Section 25 of the Arms Act, 1959 at Police Station Sector 20, Panchkula.

2. As per the prosecution case, victim Shiv Kumar Shah, who was married with the petitioner, was originally hailing from Bihar and was a daily wager at Panchkula. Previously, he was working under a contractor namely Vijendra, who had developed illicit relationship with the present petitioner and this fact was disclosed by the victim to complainant Rajesh Gupta, who was his nephew. On 20.02.2023, complainant received an information regarding death of the victim and his dead body lying at a plot in Phase-2, Panchkula. The complainant, who is resident of village Mouli, reached at the house of the complainant and was informed by the petitioner that the victim had left home on the previous night by informing that he was going to meet his friend Madhav

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and had not returned. The complainant suspected that the victim had been eliminated by the petitioner in connivance with accused Vijendra. On the basis of his statement recorded before the police, the aforementioned FIR was registered and investigation proceedings were initiated.

3. As per the further allegations, during the course of investigation, the petitioner was arrested on 20.02.2023. Co-accused Vijendra was also arrested. They suffered disclosure statements admitting their involvement in the murder of the victim. The call details record of the cell phones of the petitioner and above named co-accused were also collected. The investigation stands concluded.

4. It is argued by learned counsel for the petitioner that the petitioner has been falsely implicated in this case. There is no eye-witness to the murder of the victim. There is no direct evidence to connect the petitioner with the murder of her husband. No recovery has been effected at her instance. The case rests upon circumstantial evidence and no circumstance has been collected to connect her with the subject crime. Investigation has been completed and challan has been presented. The trial is likely to take time. The petitioner is in custody since 20.02.2023. Her further incarceration would not serve any useful purpose. It is, therefore, urged that the petition deserves to be allowed and the petitioner deserves to be granted benefit of regular bail.

5. Status report has been filed by the respondent-State. It is submitted therein and learned Deputy Advocate General, Haryana has argued that keeping in view the gravity of the allegations levelled against the petitioner, she is not entitled to get benefit of regular bail as she, in connivance with co-accused Vijendra, had committed murder of her husband. It is, thus, urged that the

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petition is liable to be dismissed.

6. I have heard learned counsel for the parties at considerable length and have also perused the material placed on record.

7. The petitioner is alleged to have conspired with co-accused Vijendra and in pursuance thereof, co-accused Vijendra is alleged to have called the victim on the night of 19.02.2023, made him consume liquor and then inflicted injuries on his person by striking several blows with a knife. As per the allegations, at the time of assaulting the victim, co-accused and the petitioner were talking to each other on phone. Call details record of the petitioner with the co-accused has also been collected, which shows their complicity with each other. The allegations against the petitioner are quite serious in nature. The trial is going on and there is nothing on record to show that there would be any undue delay in conclusion of trial. Keeping in view the gravity of allegations as levelled against the petitioner and the attendant facts and circumstances of the case, I am of the considered opinion that the petitioner does not deserve to be granted benefit of regular bail, at this stage. Hence, the petition is dismissed.

8. It is made clear that the observations made hereinabove are only for the purpose of deciding the present petition and the same shall not be construed as an expression of opinion on the merits of the case.

25.03.2025
Waseem Ansari

(MANISHA BATRA)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No