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

**CRM-M-60509-2025 (O&M)
Date of decision : 10.02.2026**

Lalita**.....Petitioner**

versus

State of Haryana**..... Respondent****CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ**

Present :- Mr. Aditya Sanghi, Advocate
for the petitioner.

Mr. Tanuj Sharma, AAG, Haryana.

RAJESH BHARDWAJ, J. (Oral)**CRM-43074-2025**

Application is allowed as prayed for.

Main case

1. Petitioner has approached this Court by way of filing the present third petition praying for grant of regular bail to her in case FIR No.80 dated 30.03.2023, under Sections 365, 302, 120-B of IPC, later on added Sections 364/201/34 IPC, registered at Police Station Ateli, District Mahendergarh, Haryana.

2. Succinctly facts of the case are that the FIR was lodged on the statement of complainant Chhaju Singh. It has been alleged that on 28.03.2023 at about 05:30 PM, in the evening, he went to fetch the milk. His grandson Deepak was coming from the Village side towards Ateli. He saw a White colour Car being driven by Devender and his grandson was made to sit in the Car. Outside the Car, other persons namely, Yogender, Devender, Sandeep, son of Yogender, son of Devender, wife of Devender, Devender's brother-in-law, son of paternal aunt, son of maternal uncle



(mama's son), husband of Devender's mother's sister (mausi's husband) and his son were also there. Others were standing outside and some were sitting inside the car. This incident was witnessed by Ashok Singh. Thereafter, complainant's grandson Deepak was not traceable. Request was made to take legal action against the culprits. On registration of the FIR, investigation commenced. During investigation, complicity of the petitioner surfaced and thus, she was arrested on 03.04.2023. On completion of the investigation, the trial commenced, challan filed and on framing of charges, trial commenced. Petitioner approached the Court of learned Additional Sessions Judge, Narnaul, however, after hearing counsel for the parties, the same was declined vide order dated 19.12.2024. Being aggrieved, petitioner earlier approached this Court twice by way of filing CRM-M-50334-2023 and CRM-M-300-2025 however, the same were dismissed as withdrawn vide orders dated 09.11.2023 and 28.01.2025 respectively. Hence, being aggrieved, petitioner is before this Court by way of filing the present third petition.

3. It has been submitted that the petitioner has been falsely implicated in the present case. He submits that in reality, the case of the prosecution is based on circumstantial evidence however, the eye-witnesses have been planted. He submits that the petitioner has been named in the present case on the basis of suspicion. He has submitted that there is no specific role attributed to the petitioner. He submits that the petitioner is behind bars from the last more than 2 ½ years and the material witnesses already stand examined. To buttress his arguments, he submits that material eye-witness, Annu Tanwar, has been examined as PW-14 and she has not supported the case of the prosecution. He submits that petitioner has no criminal antecedents and thus, in the facts and circumstances of the case,



she deserves to be granted regular bail.

4. Learned State counsel has vehemently opposed the submissions made by learned counsel for the petitioner. He submits that case in hand pertains to the honour killing that deceased had performed the marriage with Annu Tanwar against the wishes of daughter of the petitioner. The family of Annu Tanwar was totally against the same and hence, in a well hatched conspiracy, Deepak had been eliminated. He submits that he was kidnapped and thereafter his dead body was thrown in the Canal and the same was recovered from Rajasthan. He submits that during investigation, it was found that petitioner had hatched the conspiracy of eliminating Deepak thus, no case for grant of bail is made out. He on instructions, has submitted that out of 32 prosecution witnesses, 21 witnesses have been examined. Custody certificate filed by the State shows that petitioner has undergone actual sentence of 02 years 10 months and 07 days as on 09.02.2026. It further reflects that petitioner is not involved in any other case.

5. After hearing counsel for the parties and perusing the record, it is deciphered that petitioner is the mother of Annu Tanwar with whom the deceased had performed the marriage. The main allegations as put forward by the prosecution is regarding the conspiracy having been hatched by the petitioner along with the co-accused. Custody certificate filed by the State shows that she has undergone actual sentence of 02 years 10 months and 07 days as on 09.02.2026 and she has no criminal antecedents. As submitted out of 32 prosecution witnesses, 21 witnesses already stand examined. Needless to say that speedy trial is the fundamental right of every accused.

The Hon'ble Supreme Court in **Ashim @ Asim Kumar Haranath Bhattacharya @ Asim Harinath Bhattacharya @ Aseem Kumar**



Bhattacharya Vs. National Investigation Agency, 2022(1) SCC 695 has held as under:

“Deprivation of personal liberty without ensuring speedy trial is not consistent with Article 21 of the Constitution of India. While deprivation of personal liberty for some period may not be avoidable, period of deprivation pending trial/appeal cannot be unduly long. At the same time, timely delivery of justice is part of human rights and denial of speedy justice is a threat to public confidence in the administration of justice.”

6. The Hon’ble Supreme Court in a recent decision dated 03.07.2024 in **Javed gulam Nabi Shaikh Vs. State of Maharashtra, Criminal Appeal No. 2787 of 2024**, has held that howsoever serious a crime may be, an accused has the right to speedy trial under the Constitution of India.

7. The veracity of the allegations would be assessed only after conclusion of the trial and on the appreciation of evidence to be led by both the parties before the trial Court. The trial of the case will take sufficiently long time. Thus, keeping in view the overall facts and circumstances of the case, this Court is of the opinion that learned counsel for the petitioner succeeds in making out a case for grant of regular bail. Accordingly, the present petition is allowed and the petitioner is ordered to be released on bail on her furnishing bail/surety bonds to the satisfaction of the concerned trial Court/Duty Magistrate. Nothing said herein shall be treated as an expression of opinion on the merits of the case.

10.02.2026
m.sharma

(RAJESH BHARDWAJ)
JUDGE

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