

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

2026:PHHC:046386



(141)

CRM-M-65681-2025

Date of Decision: 24.03.2026

Suman

--Petitioner

Versus

State of Haryana

--Respondent

CORAM:- HON'BLE MR. JUSTICE H.S. GREWAL.

Present:- Mr. Sahil Choudhary, Advocate for the petitioner.

Mr. Rakesh Jangra, AAG, Haryana.

H.S. GREWAL.J (Oral)

This petition has been filed under Section 483 Bharatiya Nagrik Suraksha Sanhita, 2023 seeking regular bail for the petitioner in case FIR No.139 dated 09.05.2024 under Sections 302, 34, 120-B, 216 IPC, Sections 25(1-B)(a), 27, 29 of Arms Act and Sections 42, 45 of Prison Act, registered at Police Station City Jhajjar, District Jhajjar.

2. The case of the prosecution is that the petitioner along with co-accused Rohit @ Guddu had caused death of one Anuj by fire arm injuries. It is submitted that the petitioner had accompanied the main accused, who had shot Anuj dead along with co-accused.

3. Learned Counsel for the petitioner contends that the allegations against the petitioner are false and concocted and the petitioner has not committed any offence. Moreover, petitioner is not named in the FIR. It is contended that petitioner is in custody since 18.05.2024 in the present case and thus she has undergone a custody period of about 01 year, 10 months and 06 days. It is further submitted that the eye witness as well as

complainant have not supported the case of the prosecution and have resiled from their statements. He further contends that the charges were framed against the petitioner and out of 46 witnesses, only 08 have been examined till date. As such, the trial will take a long time to conclude. He thus prays that the petitioner be granted the concession of regular bail.

4. Learned State Counsel vehemently opposes the petition for grant of bail on the ground that the allegations and role attributed to the petitioner in the commission of the alleged offence are very serious in nature and the petitioner has actively participated in the alleged offence. The petitioner does not deserve the concession of bail. Hence, he prays for dismissal of the present petition. Custody certificate of the petitioner has been produced by the State Counsel as per which petitioner has undergone an actual custody period of 01 year 10 months and 06 days. He admits the date of arrest of the petitioner in the present case as 18.05.2024. Learned State counsel also admits that eye witness as well as complainant have not supported the case of prosecution and have resiled from their earlier statements.

5. I have heard learned counsel for the parties and perused the record.

6. Keeping in view the facts and circumstances of the case and taking into consideration the fact that the petitioner is in custody since 18.05.2024 coupled with the fact that the trial of the case is likely take a long time to conclude as only 08 witnesses out of total 46 have been examined so far, this Court is of the opinion that the petition in hand deserves to be allowed. Moreover, bail is rule and jail is exception. Since the continuous incarceration of the petitioner would not serve the ends of

justice, therefore, she is entitled to regular bail during the pendency of the trial.

7. Therefore, without expressing any opinion on the merits of the case, the instant petition is allowed. The petitioner is ordered to be released on regular bail on her furnishing requisite bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

8. It is clarified that if while on bail so granted through the instant order, the petitioner is found indulging in any other criminal case/activity, it shall be open to the State to seek cancellation of his bail.

9. Nothing discussed hereinabove shall be construed as an expression of opinion on the merits of the case.

24.03.2026

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(H.S. GREWAL)
JUDGE

Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No