



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

Sr.No.110

**CRA-S-3622-2025
Decided on : 13.05.2026**

Puspa Devi @ Pushpa Devi

..... Appellant

Versus

State of Haryana and another

..... Respondents

CORAM : HON'BLE MS. JUSTICE RUPINDERJIT CHAHAL

Present : Mr. Deepender Singh, Senior Advocate with
Mr. Nipun Gupta, Mr. Dharamvir Singh
and Mr. Mayank, Advocates for the appellant.

Ms. Shaveta Sanghi, DAG, Haryana.

Mr. Kamal Chaudhary, Advocate
for the complainant.

RUPINDERJIT CHAHAL, J (ORAL)

1. The present appeal is directed against the order dated 14.10.2025, passed by the Court of learned Addl. Sessions Judge (Fast Track Court), Faridabad, dismissing the application of the appellant for grant of regular bail in case FIR No.252, dated 01.10.2023, registered under Sections 148, 149, 302, 323, 324, 506, 34 IPC, Section 25 of the Arms Act and Section 3 of the Scheduled castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (Sections 307 and 120-B IPC added and Section 34 IPC was deleted lateron), at Police Station Chhainsa, District Faridabad.

2. Brief facts as per the prosecution case are that the appellant alongwith co-accused armed with *lathi*, dandas, iron rod, knives etc. caused



injuries to the complainant and his family members. Later on, complainant's brother and nephew succumbed to the injuries sustained. Hence the present FIR.

3. Learned counsel for the appellant contends that the appellant is innocent and has been falsely implicated in the present case. He further contends that the allegations levelled against the appellant are false and she has no concern with the said offence. Even if the prosecution story is taken to be true even then only *danda* blow has been attributed to the appellant and the said injury has been declared simple in nature. Learned counsel contends that no offence under SC/ST Act is made out. He has further contended that the appellant is in custody since 02.10.2023 and has clean antecedents as she is not involved in any other case. The investigation in the case is complete, challan stands presented and charges have also been framed. He further submits that out of 33 prosecution witnesses, only 06 have been examined till date and as such, the trial will take a long time to conclude and no useful purpose would be served by keeping her behind bars. Therefore, it is urged that the appeal deserves to be allowed.

4. On the other hand, learned State counsel has filed the status report as well as the custody certificate which are taken on record. She while referring to the said status report, has vehemently opposed the prayer for grant of bail by submitting that the offence committed by the appellant is serious in nature. However, she has not controverted the fact that the appellant is first time offender as she is not involved in any other case.

5. Learned counsel for the complainant, while opposing the present appeal for grant of regular bail, has contended that the appellant has



played an active role in the crime and, thus, does not deserve the concession of bail.

6. Having heard learned counsel for the parties at length and after perusing the record of the case, it is evident that the appellant is in custody for the last more than 02 years 07 months and 10 days; she has clean antecedents as she is not involved in any other case; the investigation in this case is complete; challan stands presented; charges have been framed; out of 33 prosecution witnesses, only 06 have been examined till date and the fact that trial may take a long time to conclude, no useful purpose would be served by detaining the appellant in further custody. Her further detention without the prospect of the trial being concluded in the near future would be violative of her rights under Article 21 of the Constitution of India.

7. Reliance in this regard is placed upon a judgment of the Hon'ble Supreme Court in the case of ***Dataram Singh vs. State of Uttar Pradesh & Anr. 2018(2) R.C.R. (Criminal) 131***, wherein Hon'ble Apex Court has held that keeping somebody behind the bars, till his guilt is proved, for an indefinite period amounts to infringement of his right to life and liberty, as enshrined under Article 21 of Constitution of India and is against the principle "*bail is a rule*" and "*jail is an exception*".

8. The foundational concept of the criminal jurisprudence is to ensure speedy trial. The Hon'ble Supreme Court has repeatedly reiterated that right to speedy trial is enshrined in Article 21 of the Constitution of India. Speedy trial would cover investigation, enquiry, trial, appeal, revision and retrial etc. i.e. everything starting with the accusation against the accused and expiring with the final verdict of the last Court.



9. In this regard, reference is being made to the law laid down by the Hon'ble Supreme Court in the context of right to speedy trial under Article 21 of the Constitution of India on the following decision:- *Akhtari Bi Vs. State of M.P., (2001) 4 SCC 355, Surinder Singh Alias Shingara Singh Vs. State of Punjab, (2005) SCC (Crl) 1674, P. Ramachandra Rao Vs. State of Karnataka, (2002) 4 SCC 578, Babu Singh and others Vs. State of U.P., (1978) 1 SCC 579, Takht Singh and others Vs. State of M.P., (2001) 10 SCC 463; Special Leave to Appeal (Crl) No.2356 of 2010, Kushal Singh Vs. State of U.P. (2JJ.) and Fazal Vs. State of Uttar Pradesh, (2012) 5 SCC 752.*

10. In view of the above, the present appeal is allowed and the appellant is ordered to be released on bail on her furnishing bail bonds/surety bonds to the satisfaction of the learned trial Court/Duty Magistrate/CJM concerned. It is clarified that nothing stated herein shall be construed as an expression of opinion on the merits of the case.

11. All miscellaneous application(s), if any, stands disposed of accordingly.

13.05.2026
mamta

(RUPINDERJIT CHAHAL)
JUDGE

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