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

CRM-M-44297-2023

Date of decision:-06.02.2025

DEVKI

... Petitioner

Versus

STATE OF HARYANA

... Respondent

**CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY.**

Present:- Mr. Ajit Malik, Advocate for the petitioner.

Mr. Vipul Sherwal, AAG, Haryana.

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**SANJIV BERRY, J. (ORAL)**

Learned State counsel has filed custody certificate dated 05.02.2025, the same is taken on record, copy thereof has been supplied to the counsel opposite.

2. The instant petition has been preferred by the petitioner under Section 439 of the Code of Criminal Procedure for grant of regular bail in the following case :-

<b>FIR No.</b>	<b>Dated</b>	<b>Sections</b>	<b>Police Station</b>
724	31.10.2021	302 IPC	Chandni Bagh, District Panipat

3. Brief facts of the case are that on 30.10.2021 police had received an information that a boy named Golu had expired in a rented room, police reached the place of the occurrence and saw Golu was lying



dead and found injury marks on his body, as such, FIR was registered and during investigation Devki, his maternal aunt was arrested on 04.11.2021.

4. It is *inter alia* contended by learned counsel for the petitioner that the petitioner is innocent and has been falsely implicated in the present case. He contends that petitioner was arrested on 04.11.2021 and since then she is in custody and nothing has been recovered from her and after completion of investigation challan has already been presented in Court which is pending trial and conclusion thereof will take sufficient long time. Hence prayed for grant of regular bail to the petitioner.

5. Per contra, learned State counsel referring to the reply submitted by the State has assailed these arguments and contends that there are specific allegations against the petitioner of having strangled deceased Golu to death and the cloth used by her for strangulation in the crime has already been recovered from her, as such she does not deserve concession of bail.

6. After considering the rival contentions and perusing the record, it transpires that the present FIR was registered on the complaint of Mukesh complainant, alleging that his brother is residing with Devki, his real aunt (Mausi) and she had murdered his brother. As per reply of the State, petitioner Devki is residing with the deceased Golu and on 30.10.2021, as alleged, petitioner had strangled Golu with red cloth strip, resultantly, he died and during course of investigation the alleged red cloth strip had been recovered from her. So considering the serious nature and gravity of the offence, no case is made out in favour of the petitioner for grant of regular



bail at this stage, as a consequence, the petition is hereby dismissed.

7. Any observation made above shall not be construed as opinion of this Court on the merits of the case.

**(SANJIV BERRY)**  
**JUDGE**

**06.02.2025**

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| i)  | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable?        | Yes/No |