



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

211

CRM-M-35872-2026 (O&M)**Date of Decision: 10.07.2026****POONAM**

....Petitioner

V/s

STATE OF HARYANA

....Respondent

CORAM: HON'BLE MR. JUSTICE VIKRAM AGGARWAL

Present: Mr. Arun Takhi, Advocate,
for the petitioner.

Ms. Vasundhara Dalal Anand, Sr. D.A.G., Haryana.

VIKRAM AGGARWAL, J. (ORAL)

Prayer in the present petition preferred under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short the 'BNSS') is for the grant of regular bail to the petitioner in case FIR No.104 dated 13.05.2024 registered under Section 302 of IPC at Police Station Sector 17/18, Gurugram, District Gurugram, Haryana.

2. Custody certificate dated 09.07.2026 filed in Court today is taken on record.

3. On a complaint submitted by one Arvind Kumar, the present FIR was registered. The case of the prosecution is that on 13.05.2024 at around 09:00 AM the complainant had gone for his duty. At about 02:00 PM, he received telephonic information from his neighbour that the health of his son Kartik was critical. He came home immediately and upon reaching home, he found his son in the lap of his wife, who was weeping. Kartik was unconscious and strangulation marks were found on his neck. He was taken



to the hospital but was declared dead. During the course of investigation, it was found that it was the petitioner who had strangled her son in a fit of rage.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated. He submits that there was no occasion for the petitioner who is mother of the deceased child to have strangled him. He further submits that the petitioner is in custody for the last 2 years, 1 month and 26 days; final report already stands submitted; out of a total 29 witnesses, 6 witnesses including the complainant stand examined. He submits that the case is based upon circumstantial evidence and trial will take a sufficiently long time and, therefore, no useful purpose would be served by keeping the petitioner in custody any longer.

5. *Per contra*, learned State counsel has opposed the bail application, stating that if the petitioner is released on bail, she may try to influence and threaten the witnesses and may even abscond.

6. I have considered the submissions made by learned counsel for the parties.

7. The petitioner is the mother of the deceased child and is in custody for the last 2 years, 1 month and 26 days. As to whether she had actually killed her own child or not, shall be determined once the trial concludes. The case is based upon circumstantial evidence. Only 6 witnesses out of 29 witnesses are stated to have been examined; trial will take a sufficiently long time, therefore, in considered opinion of this Court, no useful purpose would be served by keeping the petitioner in custody any longer.

8. In view of the aforementioned facts and circumstances, without expressing any opinion on the merits of the case, the present petition is



allowed. The petitioner is ordered to be released on regular bail on her furnishing bail/surety bonds to the satisfaction of the concerned trial Court/Chief Judicial Magistrate/Duty Magistrate.

9. Pending application(s), if any, shall also stand disposed of.

(VIKRAM AGGARWAL)
JUDGE

July 10, 2026

Mani Kumar

Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/No