

205 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM No. M-20095 of 2015
DECIDED ON: JUNE 30, 2015

NEELAM

....PETITIONER

VERSUS

STATE OF HARYANA

....RESPONDENT

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. S.K. Hooda, Advocate
 for the petitioner.

Mr. Parveen Bhadu, AAG, Haryana.

Jaspal Singh, J.(Oral)

Instant petition has been filed under Section 439 of the Code of Criminal Procedure seeking regular bail to Neelam-petitioner in case FIR No. 43 dated 27.02.2015 under Section 370-A IPC registered at Police Station Baroda, District Sonapat.

2. Shortly put, the case of prosecution is that complainant-Tabassum during her stay with her sister at Chennai came in contact with one girl Arsia resident of Delhi, who had gone there to take her exam and ultimately a friendship developed between them. On February 18, 2015, on the asking of her friend Arsia, she came to Delhi on tour where she was received by one aunty at the request of her friend Arsia. Instead of taking her to her friend Arsia's house, the said aunty took her to her own house and was not allowed to go anywhere else. On February 21, 2015, one Pawan Kumar accompanied by petitioner (sister of Pawan Kumar) came there and took her

to the house of petitioner. Subsequently, she came to know that she was sold by afore-said aunty to Pawan Kumar to marry with him. On the basis of aforesaid allegations, instant case was registered and investigation was put into motion.

3. The petitioner was arrested in this case on February 28, 2015 and was subjected to custodial interrogation. Subsequent thereto, she was sent to judicial custody and since then she is suffering incarceration. During investigation of this case statement of complainant was also jolted down under Section 161 Cr.P.C. by learned Magistrate. During which she reproduced the allegations against Pawan Kumar as well as other person but categorically stated that she was treated nicely by petitioner i.e. sister of Pawan Kumar. So, allegations are if any those are against co-accused of petitioner. At the most, petitioner can be termed to have conspired with her brother Pawan Kumar for bringing her to her house.

4. Undisputedly, since the date of her arrest i.e. February 28, 2015, petitioner is in custody, who has a fixed abode of living and there is no likelihood of her absconding from the territorial jurisdiction of concerned court. Disposal of trial would take sufficient long time. In the given circumstances, it would not be desirable to keep the petitioner for an indefinite period.

5. Taking into consideration above-said facts and without expressing any opinion on the merits of the case, this Court deems it a fit case to grant the concession of bail to the petitioner. Accordingly, instant petition is allowed and petitioner is ordered to be released on bail at the satisfaction of learned Chief Judicial Magistrate/Duty Magistrate, Sonapat.

JUNE 30, 2015

sham

(JASPAL SINGH)
JUDGE