

CRM-M-43732-2014 (O&M)

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

CRM-M-43732-2014 (O&M)

Date of Decision: January 16, 2015

Sandeep Kaur

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE NARESH KUMAR SANGHI

Present: Mr.G.S.Goraya, Advocate
for the petitioner.

Mr.Kapil Aggarwal, Addl.A.G.Haryana.

Mr.Sanjeev Singh Thakur, Advocate
for the complainant.

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NARESH KUMAR SANGHI, J.(ORAL)

Prayer in this petition, filed under Section 439, Cr.P.C., is for grant of regular bail to the petitioner, Sandeep Kaur, who has been booked for having committed the offences punishable under Sections 120-B, 328, 376, 452 and 506, IPC, and Section 4 of the Protection of Children from Sexual Offences, Act, 2012, in a case arising out of FIR No.30, dated 22.04.2014, registered at Police Station, Jhansa, District Kurukshetra.

Learned counsel contends that during the course of trial, the complainant-prosecutrix has failed to support the

prosecution case and, as such, there is not an iota of word which would connect the petitioner with the offences, for which she has been booked. He further contends that the examination of the remaining prosecution witnesses shall not improve the case of the prosecution in any manner. He further contends that the petitioner is a girl of 23 years and concededly she has not committed the rape with the prosecutrix.

Learned counsel for the State, on instructions from S.I. Satish Kumar of Police Station, Jhansa, District Kurukshetra, very fairly concedes that during the course of trial the prosecutrix has failed to support the prosecution case. He also contends that the person who allegedly committed the rape with the prosecutrix is behind the bars in this case.

Learned counsel for the complainant-prosecutrix and her father submits that during the course of trial, better sense has prevailed and the complainant-prosecutrix and her father have sorted out their dispute with the petitioner. He further contends that the complainant- prosecutrix and her father have no objection if the petitioner is admitted to bail.

After hearing the learned counsel for the parties and keeping in view the fact that the petitioner, who is behind the bars from 23.09.2014, the present petition is allowed. Petitioner- Sandeep Kaur, aged about 23 years, daughter of Balvinder Singh,

resident of village and Post Office Jhansa, District Kurukshetra, is ordered to be released on bail during pendency of the trial of the present case subject to her furnishing bail bond to the satisfaction of the learned Chief Judicial Magistrate/ Duty Magistrate, Kurukshetra.

January 16, 2015
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(NARESH KUMAR SANGHI)
JUDGE