

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

**CRM-M-22692-2017
Date of decision: 04.08.2017**

Neelam

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Sandeep Gahlawat, Advocate,
for the petitioner.

JAISHREE THAKUR, J. (Oral)

This petition has been filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No. 223 dated 29.11.2015, registered under Sections 346 IPC (Sections 363, 366-A, 376-D, 342 of the IPC and Section 4 of the POCSO Act added later on) at Police Station Pillukhera, District Jind. However, the challan was presented under Section 363, 366-A, 376, 342 of the IPC and Section 4 of the POCSO Act.

It is contended by learned counsel for the petitioner that the main allegation of rape is against accused Dharambir who is absconding. The petitioner has been in custody since 12.12.2015 and a perusal of the MLR would show that there are no external injuries on the person of the prosecutrix.

Ms. Gaganpreet Kaur, AAG, Haryana has appeared on behalf of respondent-State and opposed the grant of regular bail to the petitioner. She submits that out of total 18 witnesses, statements of 10 witnesses have been recorded including the prosecutrix.

Without going into the merits of the case and keeping in view the fact that the main accused is absconding; statement of the prosecutrix has been recorded and the trial is likely to take some time to conclude, the present petition is accepted. The petitioner is ordered to be released on regular bail on her furnishing bail bonds and surety bonds to the satisfaction of trial Court/Duty Magistrate concerned.

August 04, 2017
Ansari

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No