

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

239

CRL. MISC. No.M-42432 OF 2016
DATE OF DECISION : 20th FEBRUARY, 2017

Sheela

.... Petitioner

Versus

Central Bureau of Investigation, Chandigarh

.... Respondent

CORAM : HON'BLE MR. JUSTICE A. B. CHAUDHARI

* * * *

Present : Mr. Vishal Garg Narwana, Advocate for the petitioner.

Mr. Sumeet Goel, Advocate Retainer Counsel for the CBI.

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A. B. CHAUDHARI, J. (ORAL)

The petitioner has filed third petition under Section 439 Cr.P.C. seeking regular bail in FIR No.RC-5(S)/2012/SCB CHG dated 12.07.2012 registered under Section 354, 376, 342, 323, 506, 109, 374, 366A, 365, 372, 418, 420, 468, 471, 217 & 218 IPC read with 120-B IPC; Section 3/4/5 of Immoral Trafficking (Prevention) Act, 1956; Section 16 Bonded Labour System (Abolition) and Sections 23 & 26 of the Juvenile Justice (Care & Protection of Children) Act, 2000.

Heard learned counsel for the rival parties.

The petitioner is arrested on 13.05.2012 and since then she is in jail pending trial. This Court had released the co-accused the petitioner on bail vide order dated October 18, 2016 in CRM-M-15277-2016 and ordered the trial court to expedite the trial.

Learned counsel for the CBI fairly states that the trial has been expedited but even now large number of witnesses are to be

examined. He submits that total 91 witnesses have been examined by now. Looking to the period of sentence i.e. four years eight months undergone by the petitioner and further looking to the deposition of one witness Anita, role of the petitioner is defined namely that the petitioner was assaulting the victims, the petitioner should be granted bail with a condition that the petitioner should file an affidavit for not committing such offence again.

Learned counsel for the petitioner makes a statement that after release from the jail the petitioner will file undertaking/affidavit within two weeks that she would not indulge in such type of offence and would also submit a copy of the affidavit to the concerned Police Station.

In that view of the matter I make the following order:

ORDER

- (i) The petition is allowed and the petitioner be released on bail to the satisfaction of the concerned CJM/Duty Magistrate.
- (ii) The petitioner shall file an affidavit within two weeks after release that she will not commit such type of offence again.
- (iii) The State will be at liberty to apply for cancellation of bail in case of any further commission of such type of offence by the petitioner.

20th February, 2017
'raj'

(A. B. CHAUDHARI)
JUDGE

<i>Whether speaking/reasoned:</i>	<i>Yes</i>	<i>No</i>
<i>Whether Reportable:</i>	<i>Yes</i>	<i>No.</i>