

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

**CRM-M-16935-2018**

**Date of decision: - 15.05.2018**

**Rajesh Devi**

**.....Petitioner**

**Versus**

**State of Haryana**

**.....Respondent**

**CORAM : HON'BLE MR.JUSTICE MAHABIR SINGH SINDHU**

Present: Mr. Chanderhas Yadav, Advocate, for the petitioner.

Mr. Vikas Malik, DAG, Haryana.

Mr. Kiran Pal Singh, Advocate, for respondent No.2.

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**MAHABIR SINGH SINDHU, J. (ORAL)**

Present 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.1047 dated 21.11.2016, registered under Sections 406 and 420 IPC, at Police Station Jhajjar, District Jhajjar.

2. It is contended by learned counsel for the petitioner that the civil suit for specific performance along with declaration has already been filed by the present complainant on the basis of agreement to sell dated 18.12.2014 and the same very agreement is the basis for registration of the above FIR No.1047 dated 21.11.2016. It is further contended that the

petitioner is in custody since 15.01.2018 and the charges were framed on 08.03.2018 and out of total eighteen prosecution witnesses, only two have been examined so far.

3. The above factual position is duly acknowledged by learned State counsel on instructions from ASI Yudhvair Singh, however, he alongwith learned counsel for complainant-respondent No.2 have opposed the bail application.

4. Heard learned counsel for the parties and perused the paper-book.

5. In view of the fact that the suit for specific performance is already pending between the parties, the petitioner is a female and she is in custody since 15.01.2018, charges were framed on 08.03.2018 and out of total eighteen witnesses, only two have been examined till date and the trial is likely to take a long time to be concluded and thus, no useful purpose would be served by keeping the petitioner behind the bars any more.

6. Therefore, in view of the abovesaid circumstances, without expressing any opinion on the merits of the case, the present petition is accepted. Petitioner-Rajesh Devi be admitted to bail on her furnishing bail bonds and surety bonds to the satisfaction of the learned trial Court.

( MAHABIR SINGH SINDHU)  
JUDGE

May 15, 2018  
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| Whether reportable?        | Yes |
| Whether reasoned/speaking? | Yes |

