

IN THE HIGH COURT OF PUNJAB AND HARAYANA AT CHANDIGARH

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CRM-M-49256-2017

Date of decision: 13.03.2018

Meena Bansal

...PETITIONER

VS.

State of Haryana

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

Present: Mr. Raman Mohinder Sharma, Advocate,
for the petitioner.

Mr. Sharad Kumar Yadav, Deputy Advocate General, Haryana,
for the State.

AUGUSTINE GEORGE MASIH, J. (ORAL)

Prayer in this petition is for grant of regular bail to the petitioner in case FIR No. 147 dated 26.08.2017 under Sections 3 and 4 of Public Property (Prevention of Damage) Act, 1985 and Sections 124-A, 148, 149, 186, 188, 307, 332, 353, 395, 427, 436 IPC registered at Police Station Sirsa Sadar, District Sirsa.

It is the contention of the learned counsel for the petitioner that the petitioner has not been named in the FIR and has been falsely implicated. He contends that further, no recovery is to be effected from the petitioner. The challan has although been presented but till date, no charge has been framed. He further contends that 62 witnesses have been cited by the prosecution and, therefore, the trial is not likely to conclude in near future. Counsel contends that no specific role has been attributed to the petitioner and, therefore, the petitioner may be released on bail.

On the other hand, counsel for the State, on instructions from SI Ram Kumar, Police Station Sadar Sirsa, states that the petitioner was involved in the commission of offence. The public property was damaged and a wooden stick has been recovered from the petitioner at her disclosure. He states that the next date of hearing before the trial Court is 14.03.2018 for framing of charges.

Having considered the submissions made by the counsel for the parties and keeping in view the fact that the petitioner is in custody since 29.09.2017 and the co-accused of the petitioner have been granted bail by this Court, there being no allegations against the petitioner nor has she been named in the FIR as also the trial is not likely to conclude soon as the charges, till date, have not been framed and total 62 witnesses have to be examined, the present application is allowed. Petitioner is directed to be released on bail to the satisfaction of the Chief Judicial Magistrate/trial Court/Duty Magistrate, Sirsa.

March 13, 2018*pj***(AUGUSTINE GEORGE MASIH)
JUDGE**

Whether speaking/reasoned: Yes/No
Whether Reportable : Yes/No