

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

CRM-M-4540-2019

Date of decision: March 27, 2019

Sunita

....Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Mr. Parmod Parmar, Advocate
for the petitioner.

Mr. Surender Singh, AAG, Haryana.

RAJ SHEKHAR ATTRI, J.(ORAL)

The present petition has been filed under Section 439 Code of Criminal Procedure for grant of regular bail to petitioner-Sunita in case FIR No.107 dated 15.07.2018, registered for the offences punishable under Sections 307-A, 372, 120-B of Indian Penal Code, 1860 (for short, "IPC"); Sections 4 and 7 of the Protection from Children from the Sexual Offence Act, 2012 and Section 3 of the Scheduled Castes and Scheduled Tribes Act, at Police Station Women Jhajjar, Haryana.

Heard.

It is the case of the prosecution that when prosecutrix went to the house of petitioner (mother of the prosecutrix), her mother and one Jitender along with one unknown person were there and when accused Anil did wrongful act with her, then the petitioner and Jitender told Anil that he can take the prosecutrix with him and can give them money later on.

Learned counsel for the petitioner has submitted that the main accused-Anil Kumar has been granted bail by the learned trial court. He has

placed on record the statement of prosecutrix wherein she has categorically stated that neither co-accused Jitender nor Anil had committed any wrong act with her. Petitioner is the mother of the prosecutrix.

Without expressing any opinion on merits of the case and keeping in view the fact that conclusion of trial will take considerably long time, the present petition is allowed. Petitioner is ordered to be released on regular bail on furnishing bail bond and surety bond to the satisfaction of trial Court/Chief Judicial Magistrate/Duty Magistrate, concerned subject to following terms:-

- (a) The petitioner shall comply with the conditions mentioned in Section 437(3) Cr.P.C.
- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn. The trial court shall be competent to cancel his bail bond and surety bond and proceed to procure his presence in accordance with law. In that eventuality the petitioner shall have to apply for bail afresh.
- (c) He shall not leave the country without the prior permission of the court.

(RAJ SHEKHAR ATTRI)
JUDGE

March 27 , 2019

m. sharma

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No