

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

CRM-M-5099-2019

Date of decision:07.02.2019

Manju @ Anju

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM : HON'BLE MR.JUSTICE GURVINDER SINGH GILL

Present: Mr. Dinesh Saini, Advocate
for the petitioner.

Ms. Aditi Girdhar, AAG, Haryana.

GURVINDER SINGH GILL, J. (ORAL)

1. The petitioner seeks grant of regular bail in case registered vide FIR No.403 dated 22.07.2018 under Sections 323, 364-A, 386, 389, 120-B, 506, 34 of Indian Penal Code, 1860 and Section 3(2)(v)(A) of Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Act registered at Police Station Barwala, District Hisar.
2. The FIR was registered at the instance of Ratan Lal wherein it is alleged that on 15.07.2018, Jodha came to his shop and offered that he would drop him at his home. He sat along with him on the motorcycle but on the way said Jodha stopped motorcycle near a car. It is alleged

that 2 men and a woman were sitting in the car and who came out of the car and forced the complainant to sit in their car while brandishing knife and gave beatings to him and also pressed his neck and also pretended to give beatings to Jodha. It is alleged that said persons drove their vehicle towards Hisar and demanded an amount of ₹2 lakhs and upon refusal by the complainant they threatened to kill him. It is alleged that in the meanwhile Pawan Kumar and Banarsi Dass also came there and demanded ₹1 lakh and upon complainant's refusal they threatened to falsely implicate him in a rape case. It is alleged that the complainant in order to save his life promised them to give ₹1 lakh in the morning and accused warned the complainant not to go to the Police Station.

3. Learned counsel for the petitioner submits that the petitioner is not named in the FIR and has been falsely implicated in the present case and that even the allegations taken as a whole would reveal that the petitioner is not attributed any specific role so as to show her complicity in the alleged offence.
4. Opposing the petition, the learned State counsel has submitted that the petitioner is involved in 3 other cases and as such keeping in view the antecedents of the petitioner, she does not deserve the concession of bail. It has further been informed that the petitioner has been behind bars since last about 6 months and although challan has been filed and charges have already been framed, no PW out of cited 20 PWs has been examined so far.

5. Having considered rival contentions addressed before this Court and also that the petitioner is not specifically named in the FIR and that she has been behind bars since last 6 months and that not even a single PW out cited 20 PWs has been examined so far and that conclusion of trial, in its normal course, is likely to take some time, in my opinion, no fruitful purpose would be served by further detaining the petitioner behind bars. Accordingly, petitioner is ordered to be released on regular bail on her furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate, concerned.
6. It is, however, clarified that none of the observations made above shall be construed to be an expression on merits of the main case.

(GURVINDER SINGH GILL)
JUDGE

07.02.2019
Gaurav Sorot

Whether reasoned / speaking? Yes / No

Whether reportable? Yes / No