

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

CRM-M No.10993 of 2019
Date of decision: 18th March, 2019

Manju

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present: Mr. Vikas Bahl, Senior Advocate with
Mr. Akshay Rawal, Advocate for the petitioner.

Mr. Amrik Narwal, Dy. Advocate General, Haryana
for the respondent/State.

FATEH DEEP SINGH, J. (ORAL)

This first regular bail application under Section 439 Cr.P.C. by accused petitioner Manju has come about in case bearing FIR No.35 dated 30.04.2016 under Sections 328, 376, 506, 120-B IPC pertaining to Police Station Women, Jhajjar. The brief allegations have been levelled by the victim, a married woman alleging that she was married and unable to conceive on account of which she and her husband started visiting a Dera of Baba Ranbir Dass accused non-applicant and it is during the course of events, the accused had assured the prosecutrix that with the blessings of the Baba she would be bestowed with a child. It is on this pretext the prosecutrix claims that on 03.04.2016 she was defiled by Baba in active connivance with the present petitioner Manju, who also happens to be his disciple.

Learned counsel for the petitioner Mr. Vikas Bahl, Senior Advocate assisted by Mr. Akshay Rawal, Advocate inter alia contends

that the petitioner was initially found innocent during investigations and it is subsequently with the aid of Section 319 Cr.P.C. she has been summoned as an additional accused and thus, is ready to face the trial.

The factual scenario is not displaced by learned State counsel Mr. Amrik Narwal, Dy. Advocate General, Haryana on instructions from SI (Ms.) Dharmali, Women Police Station, Jhajjar but has opposed grant of the relief on the grounds that if allowed bail the petitioner might stifle the trial.

Appreciating the submissions of the two sides, the petitioner was found innocent during investigation and subsequently with the aid of Section 319 Cr.P.C. has been summoned. Culpability, if any, shall be determined at the trial which is not likely to conclude in the near future. Thus in view thereof, this Court is of the opinion that no useful purpose will be served by keeping the petitioner in custody in the present case. Accordingly, she is ordered to be released on regular bail to the satisfaction of Chief Judicial Magistrate/Duty Magistrate, Jhajjar. However, anything observed herein shall not be construed as an expression on the merits of the case.

The petition stands disposed off accordingly.

(FATEH DEEP SINGH)
JUDGE

March 18, 2019

rps

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No