

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-14944 of 2019
Date of Decision: 5.4.2019

Rekha

....Petitioner

VERSUS

State of Haryana

....Respondent

CORAM:- HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Mr. Balkar Singh, Advocate
for the petitioner(s).

Mr. Pawan Garg, AAG, Haryana.

RAJ SHEKHAR ATTRI, J.

The present petition has been filed under Section 439 Code of Criminal Procedure (in short, "Cr.P.C".) for grant of regular bail to the petitioner in case FIR No.184 dated 25.9.2018 registered for the offences punishable under Sections 376, 363, 366-A, 120-B of Indian Penal Code (for short, "IPC") and Section 4 of Protection of Children from Sexual Offences Act at Police Station Hassanpur, District Palwal.

Heard.

The petitioner is not named in the FIR. She is the real aunt (father's real sister) of the victim. In her previous statement, the victim alleged that she has gone to Patna by her own. However, later on, she suffered a supplementary statement under Section 164 of the Code of Criminal Procedure wherein it is stated that her aunt i.e. the petitioner has allured her to go with the main accused. The petitioner is in custody since

20.2.2019.

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-Rekha widow of late Shri Udai Singh is ordered to be released on regular bail on furnishing bail bond and surety bond to the satisfaction of the concerned trial Court/Chief Judicial Magistrate/Duty Magistrate 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- (b) In the event of her absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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 her bail bond and surety bond and proceed to procure her 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.

April 5, 2019

Paritosh Kumar

**(RAJ SHEKHAR ATTRI)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No