

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

**CRM-M-16419 of 2019  
Date of Decision: 22.4.2019**

Poonam

**....Petitioner**

**VERSUS**

State of Haryana

**....Respondent**

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

Present: Mr. Jasdev Singh Mehndiratta, Advocate  
for the petitioner.

Mr. Pawan Garg, AAG, Haryana.

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**RAJ SHEKHAR ATTRI, J. (Oral)**

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.476 dated 24.12.2018 registered for the offences punishable under Sections 120-B, 216, 363, 366-A, 376 of Indian Penal Code (for short, “IPC”) and Section 4 of Protection of Children from Sexual Offences Act at Police Station City Dadri, District Charkhi Dadri.

Heard.

Allegations have been levelled against Vishal, who is the son of the petitioner, for kidnapping and committing rape upon the prosecutrix. No specific role has been attributed to the petitioner in the statement recorded under Section 164 of Code of Criminal Procedure (Annexure P-2) on 26.11.2018. However, later on, on 26.12.2018, vide supplementary statement (Annexure P-3) recorded before the police, she has stated that in the house of Vishal, his mother was present.

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-Poonam wife of Pawan Kumar 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- (b) In the event of her absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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) She shall not leave the country without the prior permission of the Court.

**April 22, 2019**

Paritosh Kumar

**( RAJ SHEKHAR ATTRI )  
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No