

**In The High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-34441-2019 (O&M)
Date of Decision:- 29.8.2019

Najni Begam ... Petitioner

Versus

State of Haryana ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Ravinder Malik, Advocate, for the petitioner.

Mr. Ashok Singh Choudhary, Addl. A.G. Haryana.

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner Najni Begam seeks grant of regular bail in a case registered vide FIR No.28, dated 5.3.2019, registered at Police Station Ismailabad, District Kurukshetra under Sections 318, 34 IPC (Sections 45, 312, 316, 120-B IPC, Sections 18-A, 18-B of the Drugs and Cosmetics Act, 1940 and Sections 3, 4 and 5 of the Medical Termination of Pregnancy Act 1971 added and Section 34 IPC deleted subsequently).
2. The FIR was lodged at the instance of Mukesh Kumar wherein it has been alleged that on 4.3.2019 when he was going home from his shop, then he noticed three women with muffled faces standing near a drain and who were searching for something in the drain with the help of a light. It is alleged that upon noticing the complainant, they

switched off the light and in the morning the complainant came to know that a foetus was recovered from the place where those women had been found standing. It is further the case of prosecution that during investigation the name of said three women came to be known as Jamila wife of Lakhbir Khan, Shakila wife of Raj Kumar and Najni Begum wife of Ramjan Khan. It is further the case of the prosecution that Raj Kumar husband of Shakila had purchased medicines and MTP kit from one Surender Singh @ Kala who is running a retail chemist shop so as to facilitate illegal termination of Jamila's pregnancy.

3. Learned counsel for the petitioner has submitted that she has falsely been implicated in the present case and that there is no direct evidence against the petitioner and that challan has already been presented.
4. Opposing the petition, the learned State counsel has submitted that since the petitioner is specifically named in FIR, there is no case for grant of bail.
5. I have considered rival submissions addressed before this Court. The petitioner has been behind bars since 6.3.2019. The investigation is complete and challan has already been presented. In these circumstances further detention of the petitioner will not serve any useful purpose since conclusion of trial, in its normal course, is likely to take some time. The petition, as such, is accepted and it is ordered that petitioner Najni Begam 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. The petition is accepted accordingly.

August 29, 2019

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**(GURVINDER SINGH GILL)
JUDGE**

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No