

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH
Sr. No.128+212

CRM-M-37917-2019 (O&M)

Date of decision : 13.12.2019

Asha

..... Petitioner

VERSUS

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. Ajay Ghangas, Advocate, for the applicant-petitioner.

Mr. Gaurav Bansal, AAG, Haryana.

Mr. Sanchit Punia, Advocate, for the complainant.

SUDHIR MITTAL, J. (Oral)

CRM-39281-2019

This is an application for placing on record certified copy of annexure P-4 and exemption from filing certified copy thereof.

Notice of motion. Mr. Gaurav Bansal, AAG, Haryana, accepts notice and has no objection in case the application is allowed.

Accordingly, the application is allowed and copy of annexure P-4 is taken on record. Exemption prayed for is granted.

CRM-M-37917-2019 (O&M)

The petitioner seeks regular bail in case FIR No.273 dated 22.7.2019, registered at Police Station Civil Lines Hisar, District Hisar, under Sections 166, 219, 342, 389, 406, 420, 506 and 120-B IPC.

Learned counsel for the petitioner submits that the petitioner has been in custody for over four months and there is no criminal case pending/decided against her. The trial of the case is not likely to be concluded at an early date as charges have yet not been framed. The present FIR has been got registered with the allegation that the complainant was threatened and coerced into executing a registered sale deed in respect of his property by threatening to make false allegations of rape and molestation against him. The

said allegations are untrue as in the civil suit filed earlier, seeking setting aside of the sale deed, no such allegations have been made. Thus, regular bail may be granted to the petitioner.

Learned State counsel submits that according to the investigation of the police, the petitioner, her co-accused Sonia and Sukhdev hatched a conspiracy to illegally acquire the property of the complainant and thus, the petitioner does not deserve the concession of the bail. He however, does not deny the fact that the charges have not yet been framed and that there are no other criminal cases pending against the petitioner. He submits that the trial is being delayed by the petitioner as her counsel has taken three dates on argument of the framing of charges.

Learned counsel for the complainant submits that there is a C.D on record, in which the petitioner has admitted her offence. Moreover, cross-case registered against the complainant by the petitioner, has been found to be false and a cancellation report has been prepared by the police.

Thus, it is evident that the present case is the first criminal case registered against the petitioner, the trial is not likely to be concluded at an early date as charges have not yet been framed.

Keeping in view the facts and circumstances of this case, I deem it appropriate to allow this petition. Accordingly, the petition is allowed and petitioner, is ordered to be released on bail on her furnishing bail and surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

(SUDHIR MITTAL)
JUDGE

13.12.2019

Ramandeep Singh

Whether speaking / reasoned

Whether Reportable

Yes / No

Yes/ No