

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

CRM-M-4676-2020 (O&M)

Date of decision: 06.02.2020

Ritu

...Petitioner

Versus

State of Haryana and another

...Respondents

CORAM: HON'BLE MR.JUSTICE H.S. MADAAN

Present: Mr. Pankaj Maini, Advocate for the petitioner.

Ms. Harpreet Kaur, AAG, Haryana.

H.S. MADAAN, J. (Oral)

This petition for regular bail has been filed by petitioner Ritu, aged about 50 years, an accused in FIR No.0620 dated 09.12.2019 for offences under Sections 75 and 82 of Juvenile Justice (Care and Protection of Children) Act, 2015, Section 34 IPC and Section 3 of the Scheduled Castes & Scheduled Tribes (Prevention of Atrocities) Act, 1989 (since deleted), registered with Police Station HTM Hisar.

Briefly stated facts of the case are that complainant Ritika, a student of 4th class in Lakshmi Convent School, Hisar had submitted a written complaint to the police, contending therein that on 06.12.2019, Ritu (present petitioner), Principal of the school told to senior girl students, namely Prachhi and Priya that Ritika was not doing study properly, therefore, to blacken her face, and to take her for a round of the school, so that she may be embarrassed and leave the school. It was done

accordingly. According to the complainant all of them felt insulted. On the basis of that application, formal FIR was registered. Petitioner Ritu was arrested in this case on 11.12.2019. She is behind bars since then.

She had filed an application for regular bail before Court of Sessions, however, that application was dismissed by Addl. Sessions Judge, Hisar, vide order dated 10.01.2020. Therefore, the petitioner has approached this Court praying for grant of similar relief, which request is being opposed by the State counsel.

I have heard learned counsel for the parties besides going through the record.

Learned counsel for the petitioner has contended that the petitioner is aged about 50 years. Provisions of the Scheduled Castes & Scheduled Tribes (Prevention of Atrocities) Act, have since been deleted while filing the challan against the accused. The petitioner was not Principal of the school and was simply a Head Mistress. Therefore, she was not having control over the management. The husband of the petitioner is suffering from serious ailments and requires constant care.

Though, learned State counsel is opposing the request but I find that keeping in view the facts and circumstances of the case and considering that petitioner is not a previous convict and does not have any past criminal record; she is a woman aged about 50 years; though the challan has been filed but the conclusion of the trial is likely to take some time; her guilt shall be established during the trial. Under the circumstances, it is found proper and appropriate to grant concession of regular bail to the petitioner. Therefore, the present petition is allowed.

The petitioner is ordered to be released on bail on her furnishing bail bonds and surety bonds to the the trial Court/CJM/Duty Magistrate, Hisar, subject to the following conditions:-

- (i) she shall appear in the Court on each and every date of hearing;
- (ii) she shall not give any threat or intimidation to the prosecution witnesses; and
- (iii) she shall not leave India without prior permission of the Court and shall surrender her passport, if she has got one, otherwise to furnish affidavit in that regard.

06.02.2020
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(H.S. MADAAN)
JUDGE

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No