

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

208

CRM-M No.23665 of 2020 (O&M)
Date of Decision: September 24th, 2020

Veena @ Rajji

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASI

Present: Mr. K.S. Jetley, Advocate
for the applicant-petitioner.

Mr. Munish Sharma, Assistant Advocate General, Haryana.

Mr. M.S. Chauhan, Advocate
for the complainant.

(PROCEEDINGS THROUGH V.C.)

AUGUSTINE GEORGE MASI, J. (ORAL)

CRM No.20384 of 2020

Prayer in this application is for exemption from filing
certified/original copies of Annexures by accepting true typed copies of the same.

Application is allowed subject to just exceptions.

Exemption, as prayed for, is granted.

CRM No.23644 of 2020

Prayer in this application is for placing on record
Annexures P-4 to P-7.

Application is allowed subject to just exceptions.

Annexures P-4 to P-7 are taken on record subject to just exceptions.

CRM-M No.23665 of 2020

Prayer in this petition is for grant of regular bail to the petitioner in
FIR No.225 dated 08.08.2019 registered under Sections 328, 387, 506,
120-B and 341 IPC at Police Station Mahesh Nagar, Ambala Cantt.

It is the contention of learned counsel for the petitioner that the
petitioner is in custody since 16.10.2019. Out of 22 witnesses, who have been

cited by the prosecution, only 2 witnesses have been examined till date. The trial is not likely to conclude in near future and, therefore, the continuation of the petitioner in custody would not serve any purpose. Assertion has also been made that the role, which has been attributed to the petitioner, primarily appears to be of allurements by the petitioner. Thus, the petitioner be granted the concession of bail, as has been prayed for.

Learned counsel for the State as well as the learned counsel for the complainant have opposed the prayer made by the petitioner by pointing out that the petitioner, in connivance with the other gang members, had been enticing people, thereafter forced them to part with money. In the present case also, the same modus operandi has been used. Assertion has been made that the petitioner is likely to influence the witnesses and, therefore, would hinder the process of the trial. However, with regard to the factum that there are 23 witnesses cited and only 2 have been examined, could not be disputed by the counsel for the State as well as the counsel for the complainant.

I have considered the submissions made by the counsel for the parties and with their assistance, have gone through the records of the case.

The petitioner, who is a lady, is in custody since 16.10.2019. It is more than 11 months that she has been in the jail. Because of the prevailing circumstances and the restricted mode of working of the trial Court, trial in most of the cases is not in progress. In the present case, out of 23 witnesses, only 2 witnesses have been examined as of now and, therefore, the likelihood of the trial concluding in near future are very bleak. That apart, continuation of the petitioner in further custody would not be justified at this stage when the trial is not proceeding.

In view of the above, the present petition is allowed.

Petitioner is directed to be released on bail to the satisfaction of the trial Court/Chief Judicial Magistrate/Duty Magistrate, Ambala.

Any observations made hereinabove are for the purpose of disposal of the present petition alone and shall have no bearing on the merit of the case during the trial in any manner.

September 24th, 2020
Puneet

(AUGUSTINE GEORGE MASIH)
JUDGE

Whether speaking/reasoned: Yes

Whether Reportable: No