

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

CRM-M-228-2020

Date of decision: 13.01.2020

Manju

.... Petitioner

versus

State of Haryana

.... Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Munish Mittal, Advocate
for the petitioner.

Mr. D.R. Singla, DAG, Haryana
assisted by ASI Ashok Kumar.

MANJARI NEHRU KAUL, J.

The instant petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in FIR No.200 dated 03.12.2018 under Sections 363, 366-A, 120-B of IPC and Section 6/16 of POCSO Act, registered at Police Station Garhi, District Jind.

2. Learned counsel for the petitioner contends that the petitioner has been falsely implicated in the instant case inasmuch as her name came into the picture only on the disclosure statement of co-accused Balraj.

3. It has further been submitted that the prosecutrix had made contradictory statements qua the role of the present petitioner in the entire occurrence in her statement under Section 164 Cr.P.C. and in her statement before Child Welfare Committee. It has also been contended that the petitioner alongwith her 9 month old infant was arrested on 02.02.2019 i.e. almost one year back. Hence, she may be extended the concession of bail.

4. Learned State counsel, on the other hand submits that there are serious allegations levelled against the petitioner of enticing the prosecutrix to perform marriage with the co-accused Balraj. It has also been informed on instructions from ASI Ashok Kumar that charges were framed on 10.09.2019 and prosecution evidence is due to commence on 23.01.2020.

5. I have heard learned counsel for the parties and perused the paper book.

6. The petitioner is a lady who alongwith her 9 month old child has been behind bars for almost a year. Since, the prosecution evidence is yet to commence, the trial is, therefore, unlikely to be concluded in the near future. Further detention of the petitioner will not serve any useful purpose.

7. Without commenting on the merits of the case, the petition is allowed and the petitioner is ordered to be released on regular bail on her furnishing bail bonds/surety bonds to the satisfaction of trial Court/Duty Magistrate.

(MANJARI NEHRU KAUL)
JUDGE

January 13, 2020

Dinesh

Whether speaking/reasoned: *Yes/No*

Whether Reportable: *Yes/No*