

108.

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

CRM-32073-2021 IN/AND

CRM-M-16433-2021

Date of Decision: 01.10.2021

(Heard through VC)

MANGLA DEVI @ ANEETA

.... Petitioner

Versus

STATE OF PUNJAB

.... Respondent

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Charanpreet Singh, Advocate, for the petitioner.

Mr. A.S.Gill, Senior DAG, Punjab.

JAISHREE THAKUR.J (Oral)

CRM-32073-2021

Prayer in this application filed under Section 482 Cr.P.C. is for preponement of the main petition, which is otherwise fixed for hearing on 24.11.2021.

For the reasons stated in the application, same is allowed and the hearing of the petition is preponed and the same is taken on board today itself.

CRM-M-16433-2021

The instant petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No.158, dated 27.08.2020, registered under Sections 376/376-D/120-B of IPC at Police Station Focal Point, District Ludhiana.

Learned counsel for the petitioner herein would pray for grant of regular bail by relying upon the statement of the prosecutrix who has turned hostile and not supported the version of the prosecution. It is submitted that the petitioner has been falsely implicated in the said case. As the material witnesses have already been examined, there would be little likelihood of her influencing them. Moreover, the trial is likely to take some time to conclude.

Per contra, learned counsel appearing on behalf of the respondent-State would fairly submit that the prosecutrix has been examined and she turned hostile.

I have heard learned counsel for the parties.

Keeping in view the fact that the prosecutrix has turned hostile and the fact that trial is likely to take some time to conclude, no useful purpose would be served in keeping the petitioner behind the bars any longer.

Accordingly, the instant petition is allowed and the petitioner is directed to be released on regular bail on execution of adequate personal bond and surety bond to the satisfaction of concerned trial Court/Duty Magistrate. However, any observation made herein shall not be construed to be an expression of opinion on merits of the case.

(JAISHREE THAKUR)
JUDGE

01.10.2021
sanjeev

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