

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

211

CRM-M-21427-2021 (O&M)

Date of Decision: June 11, 2021

Satnosh

.....Petitioner.

VERSUS

State of Haryana

.....Respondent.

CORAM:- Hon'ble Mr. Justice Girish Agnihotri

Present: Mr. Krishan M. Vohra, Advocate
for the petitioner.

GIRISH AGNIHOTRI, J. (Oral)

The matter has been taken up through video-conferencing on account of restrictions due to outbreak of pandemic COVID-19.

Petitioner-Santosh, stated to be aged 37 years, has filed the present petition *inter alia* with a prayer for grant of regular bail to her in case FIR No.681 dated 16.12.2020 registered under Section 365 of Indian Penal Code (Section 365 IPC was removed and Sections 363, 366A, 370, 370A, 376 (3), 506, 120-B IPC and 6, 17 of POCSO Act added later on), at Police Station Sadar Thanesar, District Kurukshetra.

Learned counsel for the petitioner submits that petitioner is the cousin sister of complainant (Bua/aunt of victim). Further submissions made in the petition were towards her defence. However, immediately, learned counsel for the petitioner has drawn the attention of this Court to para 9 of the order dated 11.05.2021 passed by learned Additional Sessions Judge, Kurukshetra, wherein it has been recorded as under:-

*“The victim, who is also today present in
the Court, has also stated that she also has no objection*

if the applicant/accused is granted bail in this case, as she made the statement against her in anger only. I have considered the said argument, but the same lacks merits at this stage. It seems that the complainant & victim have now made compromise with the applicant/accused and just because they have compromised with each other that cannot absolve the criminal liability.”

Notice of motion.

Mr. Gurmeet Singh, A.A.G. Haryana accepts notice on behalf of respondent-State.

Learned State counsel, on instructions from SI Kamlesh, submits that challan in this case has been presented. There are total 20 witnesses and none has been examined till date.

Learned counsel for the petitioner submits that the petitioner is in custody since 13.01.2021 and has completed almost 5 months of custody.

In view of the peculiar facts noticed above and the present situation due to COVID-19 and also the fact that trial is likely to take some time, this Court deems it appropriate to direct release of the petitioner on regular bail to the satisfaction of Chief Judicial Magistrate/Duty Magistrate concerned, subject to her furnishing bail bonds/surety bonds.

However, it is made clear that anything observed herein shall not be construed as an expression on merits of the case.

Accordingly, the present petition stands disposed of.

June 11, 2021.
Sachin M.

(GIRISH AGNIHOTRI)
JUDGE

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No