

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

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CRM-M-22640-2020

Date of Decision:05.02.2021

POONAM

....Petitioner

Versus

STATE OF HARYANA

....Respondent

CORAM HON'BLE MR. JUSTICE LALIT BATRA

Present: Mr. Sandeep Verma, Advocate for the petitioner.

Mr. Manish Dadwal, AAG, Haryana.

Lalit Batra, J.(Oral)

Case has been taken up for hearing through Video Conferencing.

Present petition under Section 439 Cr.P.C is for grant of regular bail to petitioner-**Poonam** in case F.I.R. No.19 dated 11.01.2020 under Sections 120-B, 328, 342, 343, 365 ,366 and 376 (2) (3N) IPC and Section 6 of POCSO Act, registered at Police Station Samalkha, District Panipat.

Status report in compliance of order dated 18.11.2020 has been received from Court concerned.

Learned counsel for the petitioner *inter alia* contends that petitioner has no nexus whatsoever with the alleged offence. He further

submits that co-accused namely, Santosh has already been released on bail by this Court, vide order dated 17.07.2020. He further submits that petitioner is in custody since 28.01.2020 and she is no more required by the Police for any investigation purpose. He further submits that challan has already been presented in the Court. He further submits that testimonies of complainant-Monu and victim girl have already been recorded on 18.01.2021 by the Trial Court. He further urges that since trial of the case would take sufficient time to conclude, no useful purpose would be served by keeping the petitioner in custody further and she may be released on bail.

On the other hand, learned State counsel while opposing instant petition has vehemently argued that keeping in view seriousness of offence, petitioner does not deserve the concession of bail.

I have heard learned counsel for the parties.

At this stage, without commenting anything on the merits of the case lest it may prejudice the outcome of the trial but taking into consideration the fact that petitioner is in custody since 28.01.2020, the fact that testimonies of complainant-Monu and victim have already been recorded by the Trial Court and trial of the case would take sufficient time to conclude, no useful purpose would be served by detaining the petitioner in custody further, thus, she deserves the concession of bail.

In view of above, instant petition for grant of regular bail moved by petitioner- **Poonam** is allowed and she is ordered to be

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released on bail on her furnishing personal/surety bonds to the satisfaction of Trial Court/Chief Judicial Magistrate/Duty Magistrate, Panipat, as the case may be.

05.02.2021

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**(LALIT BATRA)
JUDGE**

Whether speaking/reasoned : Yes / No
Whether reportable : Yes / No