

**214 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH
CRM-M-34589-2021(O&M)
Date of Decision: 21.09.2021**

Sumitra Kaur

...Petitioner

Versus

State of Haryana

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Balraj Gujjar, Advocate
for the petitioner.

Mr. Dhruv Sihag, AAG, Haryana.

JAISHREE THAKUR, J. (Oral)

The instant petition has been filed under Section 439 Cr.P.C., for grant of regular bail to the petitioner in case FIR No.298 dated 22.07.2017 under Sections 366, 342 and 120 B IPC, registered at Police Station City Chandhutt, District Palwal, Haryana.

Learned counsel for the petitioner would contend that the petitioner has been falsely implicated in the present case. It is submitted that the petitioner has been in custody since 11th July 2019 and the charges were framed on 04.11.2019. It is submitted that the prosecutrix had been summoned on several occasions but she has not put in appearance to depose. It is argued that the petitioner herein is a female and would be punishable by invoking Section 120-B IPC only.

Reply on behalf of the State counsel has been filed and the same is taken on record. It is submitted that the prosecutrix had been

summoned for three different occasions but she did not put in appearance to get her statement recorded.

Per contra, learned counsel appearing on behalf of respondent-State opposes the grant of regular bail to the petitioner while submitting that offences alleged against the petitioner are serious in nature, however, does not dispute the fact that the prosecutrix did not step forward to have her statement recorded.

I have heard counsel for the parties and have also perused case file.

In view of the fact that the petitioner has been in custody since 11.07.2019 and trial is likely to take long to conclude keeping in view the conduct of the prosecutrix who is not appearing before the trial court despite repeated efforts, without commenting the merits of the case, the instant petition is allowed and the petitioner is ordered to be released on regular bail on her furnishing bail bond in the sum of Rs.1,00,000/- with one surety in the like amount to the satisfaction of trial Court/Duty Magistrate concerned.

Anything observed hereinbefore shall not be construed as an observation on merits of the case.

21.09.2021

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Whether speaking/reasoned :
Whether Reportable :

(JAISHREE THAKUR)

JUDGE

Yes No
Yes No