

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M- 37105 of 2019 (O&M)

Date of decision : 16.7.2021

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Asha

.....Petitioner

vs.

State of Haryana

.....Respondent

**Coram: Hon'ble Mr. Justice H. S. Madaan**

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

Mr. Gaurav Bansal, Assistant Advocate General,  
Haryana.

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**H. S. Madaan, J. (Oral)**

Case taken up through video conferencing.

Learned counsel for the petitioner states that the petitioner has since joined the investigation and has been released on interim bail.

Learned State counsel, on instructions from ASI Srinivas, concedes the factum of petitioner having joined the investigation, further stating that since another FIR No. 608 dated 26.12.2020, Police Station Khargodha, District Sonapat, under Sections 3, 4 of the Medical Termination of Pregnancy Act, 1971, has been registered regarding this very incident and recovery has already been effected in

this case, therefore, custodial interrogation of the petitioner is not

required.

In these circumstances, the interim bail granted to the petitioner vide order dated 4.9.2019 is made absolute, subject to fulfillment of following conditions under Section 438(2) Cr.P.C.:-

- i) that the petitioner shall appear in the Court on each and every date of hearing.
- ii) that the petitioner shall not give any threat or intimidation to the prosecution witnesses.
- iii) that the petitioner shall not leave India without the prior permission of the Court.
- iv) that the petitioner shall surrender her passport before the Investigating Officer and if she is not having passport then she shall file an affidavit in that regard.

In case the petitioner violates any term and condition on which the bail has been granted to her, the prosecution would be entitled to apply for cancellation of bail.

The petition in that way is allowed.

**16.7.2021**  
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**( H.S. Madaan )**  
**Judge**

Whether speaking / reasoned                      Yes / No

Whether reportable                                      Yes / No