

302 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-43633-2022
Date of Decision: 27.09.2022

SUDESH ... PETITIONER
VS.
THE STATE OF HARYANA .. RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

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

Mr. Zorawar Singh Chauhan, DAG, Haryana.

VIVEK PURI, J.(ORAL)

On 21.09.2022, the following order was passed:-

“Petitioner is seeking anticipatory bail in case bearing FIR No. 16 dated 10.02.2021 under Sections 120-B, 366-A, 376-D(A), 506 IPC, Section 6 & 17 of the Protection of Children From Sexual Offence Act, 2012 and Sections 3(1)(s), 3(2)(v) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, registered at Police Station Women Jind, District Jind.

Learned counsel for the petitioner contends that the petitioner was found innocent during the course of investigation and she has been summoned on an application filed under Section 319 Cr.P.C. The allegations against the petitioner are to the effect that she had facilitated the commission of rape upon the prosecutrix by the co-accused. Shamsheer, co-accused who has also been summoned under Section 319 Cr.P.C. has been granted interim protection in terms of the order dated 08.09.2022 passed in CRM-M-40875-2022. Moreover, the petitioner has also assailed the order vide which she has been summoned on the application under Section 319 Cr.P.C., vide CRR No. 1458 of 2022 and the next date of hearing in the trial Court is stated to be 23.09.2022.

Notice of motion.

Mr. Karan Garg, AAG Haryana, accepts notice on behalf of the respondent-State.

The petitioner is directed to surrender before the trial Court on or before 23.09.2022 and on her doing so, she shall be admitted to interim bail on her furnishing personal and surety bonds to the

satisfaction of the trial Court. The petitioner shall also abide by the conditions as specified under Section 438(2) Cr.P.C.

To be listed on 27.09.2022 along with CRM-M-40875-2022.”

Learned counsel for the petitioner contends that in pursuance of interim directions issued by this Court, the petitioner has surrendered before the trial Court.

Learned State counsel, on instructions from ASI Reena, has not assailed the aforesaid factual aspect of the matter.

Keeping in view the entire circumstances, sufficient grounds are made out to extend the concession of pre-arrest bail to the petitioner. Accordingly, order dated 21.09.2022, vide which the petitioner has been granted interim bail, is made absolute. However, the petitioner is directed to furnish fresh bail bonds in the trial Court within a period of 30 days.

Petition is allowed.

27.09.2022
smriti

(VIVEK PURI)
JUDGE

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