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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-54039-2021
Date of decision: 13.05.2022

PREETI

...Petitioner

VERSUS

STATE OF HARYANA

...Respondent

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. G. S. Bedi, Advocate
for the petitioner.

Mr. Tapan Kumar, DAG, Haryana.

JAISHREE THAKUR, J. (Oral)

This is the second petition filed under Section 439 Cr.P.C. for grant of regular bail in case FIR No.0367 dated 13.05.2021, under Sections 304-B and 34 IPC, registered at Police Station Gurugram Sadar, District Gurugram.

Learned counsel for the petitioner herein would pray for grant of regular bail to the petitioner by contending that the statement of the complainant and all material witnesses have been recorded and they have not supported the prosecution version. It is submitted that the petitioner is not involved in any other case and has not been declared as a proclaimed offender. He submits that the petitioner is in custody since 29.07.2021, and as all the material witnesses have been examined, the possibility of the petitioner herein

influencing their testimonies would no longer arise. Moreover, the trial is likely to take a long time to conclude.

Per contra, learned State counsel would oppose the bail of the petitioner but does not dispute the factual position. He would fairly submit that the complainant and all the material witnesses have turned hostile.

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

Without commenting on the merits of the case and considering the fact that the complainant and the material witnesses have turned hostile, no useful purpose would be served in keeping the petitioner behind bars any longer as the trial is likely to take long time to conclude, the instant petition is allowed and the petitioner is ordered to be released on regular bail on her furnishing adequate bail and surety bonds to the satisfaction of trial Court/Duty Magistrate concerned.

However, it is made clear that the observations made herein are only for the purpose of deciding the present petition and the same shall not be construed as an expression of opinion on the merits of the case.

13.05.2022

Chetan Thakur

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No