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

**CRM-M-33012-2020 (O&M)
Date of decision : 18.01.2023**

Kailash Kaur

...Petitioner(s)

Versus

State of Haryana

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Ashit Malik, Advocate for the petitioner(s).

Mr. Kiran Pal Singh, AAG, Haryana.

MAHABIR SINGH SINDHU, J.

First petition has been filed under Section 439 Cr.P.C. for grant of bail pending trial to the petitioner in FIR No.589 dated 08.07.2020, under Sections 384, 120B, 180 of the Indian Penal Code, 1860; and Sections 7 & 13 of the Prevention of Corruption Act, 1988, registered at Police Station Thanesar, District Kurukshetra.

Prosecution was launched on the complaint of one Tarun son of Jai Singh, with the allegations that petitioner was demanding Rs.30,000/- for effecting compromise in FIR No.453 dated 20.05.2020 under Section 354A of the Indian Penal Code at P.S. Thanesar City registered by her against father of the complainant-Jai Singh. Petitioner is alleged to have been apprehended at the spot by a raiding team while accepting bribe money of Rs.30,000/-.

This Court, on 16.02.2021, granted interim bail to the petitioner and relevant portion of the same reads as under: -

“Photocopy of the affidavit of Y. Puran Kumar, IPS, Inspector General of Police, Ambala Range, Ambala Cantt. filed in the registry is taken on record.

Contends that petitioner is in custody since 08.07.2020 and there is no progress in the trial.

Learned State counsel seeks time to verify the same; as well as status of other criminal cases pending against the petitioner.

Posted on 18.05.2021.

Let the petitioner be released on interim bail, till the next date of hearing, on her furnishing bail bond and surety bond to the satisfaction of learned trial Court/CJM/Duty Magistrate, concerned.”

Learned counsel for the petitioner submits that none of the material prosecution witnesses has supported the case; thus, interim bail granted to him be made absolute. Also submits that petitioner is regularly appearing before learned trial Court and has not misused the concession of interim bail. The trial stands concluded and the case is now pending for pronouncement of judgment on 23.01.2023.

Learned State counsel, in his usual fairness, instead of disputing the above factual position, acknowledged the same.

In view of the above, this Court is of the opinion that sending the petitioner in custody at this stage would not serve any purpose.

Consequently, the present petition is allowed and interim bail granted vide order dated 16.02.2021, is made absolute. Petitioner be admitted to bail on her furnishing bail/surety bonds to the

satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

Petitioner shall fully co-operate with the learned trial Court without seeking any unnecessary adjournments.

The above observations may not be construed as an expression of opinion on the merits of the case.

It is clarified that in case there is any misuse of concession of bail on the part of the petitioner, State of Haryana would be at liberty to move an appropriate application for recalling of this order.

18.01.2023
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(MAHABIR SINGH SINDHU)
JUDGE

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