

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

CRM-M-51994-2023

Date of Decision:15.11.2023

Anjali

...Petitioner

vs.

State of Haryana

...Respondent

Coram : Hon'ble Mr. Justice N.S.Shekhawat

Present : Mr. Anirudh Singh Sehra, Advocate
for the petitioner.

Ms. Sheenu Sura, Deputy Advocate General, Haryana.

N.S.Shekhawat J. (Oral)

1. The petitioner has filed the instant petition under Section 439 Cr.PC with a prayer to grant regular bail in case FIR No. 610 dated 27.10.2022 registered under Sections 326-A, 323 and 506 of IPC, Police Station City Sonipat, District Sonipat.

2. The FIR in the present case was registered on the basis of the statement made by Anita wife of Kaptan Singh. As per the complainant, her nephew namely Sham Singh was doing some private job and a girl namely Anjali started calling her nephew Sham Singh. One day, Anjali along with her mother Laxmi came to the house of the complainant and started asking about the engagement. Since the complainant was sure that Anjali was not a nice girl , she refused for the engagement. Due to the said enmity, at about 05:30 PM on 26.10.2022, Anjali had thrown acid on Sham Singh and the injured was shifted to the Oskar Hospital, Sonipat for treatment. The complainant prayed for taking legal action against Anjali. With these main allegations, the FIR in the present

case was registered against the present petitioner.

3. Learned counsel for the petitioner contends that the petitioner was arrested in the present case on 01.11.2022 and is in custody for the last more than one year. He further contends that the complainant and Sham Singh, injured have already been examined by the Trial Court and there are no chances of tampering with the prosecution evidence. The prosecution has relied upon 21 witnesses and the conclusion of the trial may take quite a long time. He further contends that the injured committed rape on the petitioner on 27.02.2022, 30.04.2022, 21.06.2022 and 17.09.2022 by taking her to different hotels and she became pregnant. When complainant came to know about her pregnancy, she forced her for abortion. The petitioner refused to do so and the injured tried to throw acid on the petitioner, however, it fell on the injured himself accidentally. Learned counsel further contends that the petitioner is a young girl and had no criminal antecedents.

4. On the other hand, learned State counsel has vehemently opposed the prayer made by learned counsel for the petitioner on the ground that the petitioner is the main accused and does not deserve the concession of bail.

5. I have heard the learned counsel for the parties and perused the record.

6. It is apparent from the record that the petitioner is in custody for the last more than one year. The complainant and Sham Singh, injured have already been examined by the prosecution and there are no chances of tampering with the prosecution evidence. Further custody of the petitioner is not essential, at this stage and she deserves the concession of bail.

7. Consequently, the present petition is allowed. The petitioner is

ordered to be released on bail pending trial on his furnishing bail bonds and surety to the satisfaction of the concerned trial Court/ Duty Magistrate/Chief Judicial Magistrate.

15.11.2023
hitesh

(N.S.SHEKHAWAT)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No