

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

**CRM-M No. 37138 of 2015 (O&M)
Date of Decision: 17.12.2015**

Lakhwinder Kaur

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. Gautam Thapar, Advocate
for the petitioner.

Mz. Rimplejeet Kaur, AAG, Punjab
for the respondent/State alongwith HC Surjit Singh.

JASWANT SINGH, J. (ORAL)

Prayer is for grant of pre-arrest bail on behalf of the petitioner in case FIR No. 178 dated 25.07.2015 for the offences punishable under Sections 376-D and 120-B of the Indian Penal Code, Section 67 of Information and Technology Act and Sector 6 of the Protection of Children from Sexual Offences Act, registered at Police Ramamandi, District Jalandhar.

The petitioner is the mother of the main accused, namely Navjeet Singh alias Happy alleged to have forcibly taken the seventeen years' old prosecutrix in a room on the first floor and committed rape, as also filmed it on the mobile. He is also alleged to have called his other friends, who also committed rape upon the prosecutrix.

The role attributed to the petitioner is that she had gone away after bolting the door from outside while her son committed rape.

Learned counsel for the petitioner submits that it is highly unlikely/unbelievable that the mother would involve herself in such

activity to be conducted by her teenage son. He further submitted that the son of the petitioner has solemnized his marriage with the prosecutrix. He further contends that his client has since joined the investigation and nothing is recovered from her.

Learned State Counsel, assisted by ASI Satnam Singh, does not refute the aforesaid factual position regarding the marriage, as also joining the investigation of the petitioner. He further submits that custodial interrogation of the petitioner is no longer required.

In view of the above, the interim pre-arrest bail granted to the petitioner vide order dated 02.11.2015, passed by this Court, is made absolute.

December 17, 2015

'dk kamra'

(JASWANT SINGH)
JUDGE