

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

CRM No.M- 37886 of 2014(O&M)

Date of Decision: January 5, 2015.

Rashidan

..... PETITIONER (s)

Versus

State of Punjab

..... RESPONDENT (s)

CORAM:- HON'BLE MRS.JUSTICE LISA GILL

Present: Mr. Mohd. Yousaf, Advocate
for the petitioner.

Mr. K.S.Sidhu, DAG, Punjab.

Mr. Arun Jindal, Advocate
for the complainant.

1. Whether reporters of local papers may be allowed to see the judgment?
2. To be referred to the reporters or not?
3. Whether the judgment should be reported in the digest?

LISA GILL, J.

The petitioner prays for grant of anticipatory bail in FIR No.83 dated 17.10.2014, under Sections 354/354A/341/506/120B/326 IPC, registered at police station city Malerkotla, District Sangrur.

The abovesaid FIR has been registered on the basis of a statement of Mariyam daughter of Sh. Mohd. Ferozedeem. It is alleged that co-accused

Mohd. Imran @ Rana and Mohd. Irfan had way-laid the complainant and Mohd. Imran @ Rana had asked her to marry him and elope with him but she had refused to do so. In a subsequent statement recorded under Section 164 Cr.P.C. on 18.10.2014, it was averred that Mohd. Imran @ Rana had thrown acid upon her. The petitioner is not attributed with any overt act and is not even related to the other accused. She is alleged to have instigated the other accused. She has joined investigation and taking her in custody shall not serve any useful purpose.

It is submitted that complainant – Mariyam Khatoon has made the statement against the petitioner and others under duress of her father and others. Her statement on oath to this effect has been recorded by this Court in CRWP No.1754 of 2014 wherein she has stated that she wishes to marry Mohd. Imran @ Rana and she was earlier under extreme pressure. She had been beaten and threatened by them. It was in these circumstances, she made the statement against the petitioner and others. Mariyam had been lodged at the Nari Niketan, Sector 26, Chandigarh under orders of this Court and has made her statement on oath after due deliberation and thought without being influenced by anyone.

It is submitted that the petitioner undertakes not to try and even contact the complainant or the parents or relatives of the complainant and shall not tamper with the evidence.

Learned counsel for the State, on instructions from ASI Jagtar Singh, submits that the petitioner has indeed joined investigation and she is no longer required for custodial interrogation.

There are no allegations on behalf of the State that petitioner is

likely to abscond or that she is likely to dissuade the witnesses from deposing true facts in the Court, if released on bail.

In view of the above but without commenting or expressing any opinion on the merits of the case, order dated 05.11.2014 is made absolute.

Petition is allowed.

(LISA GILL)
JUDGE

January 5, 2015.
'om'