

**IN THE HIGH COURT OF PUNJAB AND HARYANAAT
CHANDIGARH**

CRM No.M- 44082 of 2014(O&M)

Date of Decision: January 5, 2015.

Mohd. Imran @ Rana and another

..... PETITIONER (s)

Versus

State of Punjab

..... RESPONDENT (s)

CORAM:- HON'BLE MRS.JUSTICE LISA GILL

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

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 petitioners pray for bail pending trial in FIR No.83 dated 17.10.2014, under Sections 354/354A/341/506/120B/326B 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 the petitioners

had way-laid the complainant and petitioner No.1 – 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 petitioner No.1 – Mohd. Imran @ Rana had thrown acid upon her.

It is submitted that complainant – Mariyam Khatoon has made the statement against the petitioners 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 petitioner No.1 – 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 petitioners 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 petitioners undertake not to try and contact the parents of the complainant – Mariyam Khatoon and shall not tamper with the evidence.

Petitioners are in custody since 18.10.2014.

There are no allegations on behalf of the State that petitioners are likely to abscond or that they are likely to dissuade the witnesses from deposing true facts in the Court, if released on bail.

Keeping in view the conspectus of the peculiar facts and circumstances of the case, no useful purpose would be served by keeping the petitioners incarcerated any longer.

In view of the above but without commenting or expressing any opinion on the merits of the case, this petition filed by Mohd. Imran @ Rana and Mohd. Irfan is allowed. Petitioners shall be released on bail pending trial subject to their furnishing requisite bail bonds and surety bonds to the satisfaction of the learned Chief Judicial Magistrate, Sangrur.

It is, however, clarified that none of the observations made hereinabove shall be a reflection on the merits of the case and shall have no bearing on the same.

January 5, 2015.
'om'

(LISA GILL)
JUDGE