

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

CRM-M No.5713 of 2015

Decided on: 06.04.2015

Mohan Lal . . . Petitioner

Versus

State of Punjab . . . Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. Vinay Pandey, Advocate
for the petitioner.

Mr. Arshdeep Singh Kler, DAG Punjab.

RAJ MOHAN SINGH, J. (Oral)

Petitioner seeks grant of regular bail under Section 439 Cr.P.C in case bearing FIR No.114 dated 14.10.2014 registered under Section 376 IPC at Police Station City-2, District Mansa.

The facts emanating on record reveal that the petitioner is the father of 7 children. Rinki Rani was married to Raj Kumar, Renu Bala was married to Sandeep Kumar, Ritu Rani was married to Narottam Pal, Rekha Rani (deceased) was married to Rakesh Kumar, Gudia was married to Suraj Parkash and Seema was married to Rinku. Durga Dass is the only son. Rekha died on account of positioning. Case under Section 302 IPC at the instance

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of petitioner was registered against Rakesh Kumar. Said Rakesh Kumar developed illicit relations with Renu daughter of petitioner (present complainant). The allegations on record seem to be result of perversity of mind either on behalf of complainant or on behalf of the accused.

At this stage, without commenting upon the nature of allegations particularly in the light of averments made in the FIR itself i.e. *“..... Two sons and one daughter were born from our wedlock. My father forcibly made illicit relations with me and my sister Diksha Rani alias Rekha against our wishes but we did not narrated the incidence to anybody for fear of shame. Marriage of younger sister Diksha Rani alias Rekha was solemnized with Rakesh Kumar son of Ashok Kumar resident of Ajit Road, Bathinda about 13 years ago. My father kept on committing rape with me and with my sister Diksha Rani alias Rekha in front of me against out wishes..... About 4 months agao I went to my paternal house at Mansa to meet my brother Durga Das alias Kalu and my mother then my father forcibly committed rape with me against my wishes, due to which I became pregnant and thereafter, I went to my matrimonial house at village Ahmedpur. When I did not get monthly then I called my father on telephone, who gave abortion pills to me due to which I suffered miscarriage.....”*

The aforesaid allegations and probable defence would be subject matter of trial.

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At this stage, learned D.A.G. Punjab, on instructions from SI Jaswinder Kaur, states that out of twelve witnesses three witnesses have been examined so far.

In view of above circumstances of the case, petitioner is ordered to be released on regular bail on his furnishing adequate bail bonds and surety bonds to the satisfaction of the Chief Judicial Magistrate, Mansa.

Nothing expressed hereinabove would be construed to be an expression of any opinion on merits of the case.

[Raj Mohan Singh]
Judge

06.04.2015
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