

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

**CRM-M No. 8803 of 2015 (O&M)
Decided On : 11.05.2015**

Iqbal Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM : HON'BLE MS. JUSTICE ANITA CHAUDHRY

Present : Mr. Baljinder Singh, Advocate for the petitioner.

Mr. V.P.S. Sidhu, Asst. AG, Punjab.

ANITA CHAUDHRY, J.

Petitioner-Iqbal Singh is seeking regular bail in case FIR No. 06, dated 29.01.2015, registered under Sections 376, 506 and 120 of the Indian Penal Code (subsequently Sections 406/420 of the Indian Penal Code was added), Police Station Banga City, District Shaheed Bhagat Singh Nagar.

The complainant was a Principal in private school. She married Manjinder Singh, who died after prolonged illness in the year 2010. The complainant's husband had taken loans for running the school. Manjinder Singh entered into an agreement to sell his land. The sale deed was to be executed in December 2010, but he died before the date fixed for execution of the sale deed. The land was automatically transferred in favour of the complainant. The complainant had pleaded that she was ready to return the amount which was taken, but Balbir Singh, the proposed vendee, insisted on executing the sale deed and filed the case in the Civil Court. The complainant had alleged that her mobile number was given to Iqbal Singh-petitioner by Bahadur Singh in the year 2010 and he told her that he could get the land sold even though the litigation was

Contd...P/2...

pending and started visiting the complainant. A portion of the land was sold in January 2011 and part of the loan was repaid. A joint account was opened in the name of Iqbal Singh and the complainant. The allegations levelled by the complainant are that the petitioner withdrew some amounts from her account and in June 2011 he gave her a drink laced with drug and raped her and took her nude pictures. The complainant had further stated that out of fear, she had sold the land to Iqbal Singh-petitioner and he was blackmailing her.

Learned counsel for the petitioner contends that the allegations of the rape have appeared only in November 2014 and if the petitioner was withdrawing the money from her account, there was no reason to sell the property to him and the cheating allegations have been levelled with a design and the police could not recover any photographs and the allegations were concocted. He urges that the petitioner was in custody and challan has been presented and the trial will take time, therefore, bail may be allowed.

The allegations of rape pertain to the year 2011. The complainant has been in touch with the petitioner even thereafter. The petitioner is a married lady and was Principal of private school. The investigation is over and challan has been submitted. The trial will take long time to conclude.

Without expressing anything upon the merits of the case, the petition is allowed and the petitioner is directed to be released on regular bail on execution of adequate personal and surety bonds to the satisfaction of trial Court with the condition that the petitioner would not directly or indirectly get in touch with the complainant or the witnesses or tamper with evidence.

May 11, 2015

'dk kamra'

**(ANITA CHAUDHRY)
JUDGE**