

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Crl. Misc. No. M-17455 of 2016

Date of decision : 24.05.2016

Sunita @ Sushila

... Petitioner

versus

State of Haryana

... Respondent

CORAM:- HON'BLE MRS. JUSTICE ANITA CHAUDHRY

Present: Mr. Ajay Singh Ghangas, Advocate for the petitioner

Ms. Mahima Yashpal, AAG Haryana

ANITA CHAUDHRY, J. (ORAL)

The petitioner is seeking regular bail in FIR No. 653 dated 15.10.2015 registered at Police Station Sadar, District Rohtak under Sections 34/370(1), 376 IPC and Section 4 and 6 of POCSO Act.

A complaint was lodged on 15.10.2015 by the victim. The allegations were that two boys of her village brought her to Rohtak for work and she met Sushila and started living with her and she assured that she will find work for her and did not get any work nor allowed her to use her mobile and did not permit her to talk to any one and later forced her to get married to Ram Pal against her wishes. The allegations are that Ram Pal without her consent made physical relations with her and locked her in the house and when she got an opportunity on 13.10.2015 she fled. The allegations were that Sahil, his friend and Sushila forcibly got her married to Ram Pal. In the 164 Cr.P.C. statement made to the police, the girl completely changed her story and stated that her parents knew where she was going and it was with her consent that she had gone to Fatehabad and in the meantime there were talks of marriage with Ram Pal and she did not want to marry him and out of anger she had gone to Delhi and no one had harassed her. The complainant did not assign any role to the petitioner.

The petitioner is in custody since 2.12.2015.

Without commenting anything on the merits of the case and considering the fact that the trial will take time to conclude, the petition is allowed and the petitioner is ordered to be released on bail on her furnishing adequate bonds to the satisfaction of the trial Court/Duty Magistrate.

(ANITA CHAUDHARY)
JUDGE

May 24, 2016