

In the High Court of Punjab and Haryana at Chandigarh

Crl. Misc. No. M-25255 of 2016

Date of Decision: 01.08.2016

Veerpal Kaur

.....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MRS. JUSTICE ANITA CHAUDHRY

Present: Mr. Jagjit Gill, Advocate
for the petitioner.

Mr. K.S.Aulakh, AAG, Punjab.

ANITA CHAUDHRY, J(ORAL)

The petitioner is seeking regular bail in FIR No. 88 dated 25.9.2015 registered at Police Station Arniwala, District Fazilka under Sections 363, 366-A IPC and later on Sections 372, 376 IPC and Sections 4 and 8 of the POCSO Act were added.

According to the petitioner, the offence under Section 363 and 366-A IPC had been deleted on 17.12.2015.

Counsel for the petitioner contends that the petitioner is in custody since 14.5.2016 and challan has been filed and charge has been framed and the case is now fixed for prosecution evidence. Counsel for the petitioner further contends that the petitioner is the sister of the prosecutrix and she and her husband have been named by the complainant. Counsel urges that prosecutrix Rajvinder Kaur, the unmarried sister of the petitioner, fled with Angrej Singh and panchayat was held and the girl was brought home and she was sent to Abohar to live with the petitioner. Angrej Singh

tried to contact the prosecutrix. The petitioner and her husband had not allowed the prosecutrix and she left their house and went to Fazilka to live with her brother and the allegations levelled thereafter are that the sister wanted to sell her and allegation of rape against the husband of the petitioner was also levelled. The counsel urges that though, in the statement made to the Magistrate, the prosecutrix made allegations against the petitioner and her husband but to the police she has stated that she had left the house as her sister and brother-in-law used to beat her.

The investigation is over. The challan has been presented. The girl is just 14 years old. She has made different statements at different point of time.

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 local surety and adequate bonds to the satisfaction of the trial Court/Duty Magistrate.

(ANITA CHAUDHRY)
JUDGE

August 01, 2016
Gurpreet

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No