

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-27110 OF 2016
DATE OF DECISION: August 12,2016

Usha

...Petitioner

versus

State of Punjab

...Respondent

CORAM:- HON'BLE MS. JUSTICE RITU BAHRI

Present: Ms.Riffi Birla, Advocate for the petitioner.
Ms.Manpreet Dhaliwal, AAG, Punjab.

RITU BAHRI, J.(ORAL)

This is a petition under Section 439 CrPC for the grant of regular bail to the petitioner in case FIR No.47 dated 9.6.2016 under Sections 376, 363, 366-A IPC and section 4 of POCSO Act registered at Police Station City Fazilka, District Fazilka, Punjab.

Learned counsel for the petitioner submits that the petitioner is mother of Vikram alias Vicky. On 6.6.2016, Vikram alias Vicky enticed away the minor daughter of the complainant and brought to his home where his brother, father and the present petitioner were sleeping. The role attributed to the present petitioner is that she did not stop her son from

committing sexual intercourse with her. It cannot be said that she was a consenting party to the crime committed by her son. The age of the daughter of the complainant is 15-1/2 years and the age of Vikram alias Vicky is 17 years. The petitioner is in custody since 9.6.2016.

Learned State counsel does not dispute the custody period.

Keeping in view the period of custody already suffered by the petitioner and without going into the merits of the case, I deem it appropriate to grant her the concession of bail.

Accordingly, the petitioner is directed to be released on regular bail to the satisfaction of the Ilaqa/Duty Magistrate.

The petition stands disposed of.

August 12, 2016
KD

(Ritu Bahri)
Judge

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No