

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

**CRM No.M-45826 of 2016  
Decided on: 12.01.2017**

Sunehri Devi

....Petitioner

Versus

State of Punjab

....Respondent

**CORAM: HON'BLE MRS JUSTICE REKHA MITTAL**

**Present :** Mr. Vinod Bhardwaj, Advocate for the petitioner.

Mr. Arshdeep S. Kler, DAG, Punjab.

**REKHA MITTAL, J. (Oral)**

The petitioner prays for grant of regular bail in FIR No.59 dated 05.03.2016 registered at Police Station Tripuri, District Patiala for offence punishable under Section 376, 365, 370, 370-A and 120-B of the Indian Penal Code (in short 'IPC') read with Section 4 and 8 of Protection of Children from Sexual Offences Act, 2012.

Counsel for the petitioner has submitted that there are 07 accused in the case out of which only 03 have been arrested till date. The petitioner is in custody since 11.03.2016 and she is no longer required for the purpose of investigation. It is further submitted that there is no allegation of offence under Section 376 IPC against the petitioner and she has been implicated for the said offence with the aid of Section 120-B IPC. The last submission made by counsel is that completion of investigation and thereafter, presentation of challan and then conclusion of trial is likely to take its own time. The petitioner is a permanent resident of the given address and she is ready to face the proceedings without any default.

Counsel for the State has opposed the prayer for bail with the submission that in view of gravity of allegations levelled against the accused including the petitioner, she is not entitled to bail.

I have heard counsel for the parties, perused the paperbook and the police records.

As per the statement suffered by the victim, she was not subject to sexual assault in the presence of the present petitioner. The petitioner has been remanded to judicial custody and, therefore, no longer required for the purpose of investigation. Many of the accused in the case are yet to be arrested, thereafter, on completion of investigation, presentation of challan and then conclusion of trial is likely to take its own time. There are no allegations against the petitioner that she is likely to flee in case released on bail.

Without commenting upon merits of the case, the petitioner is ordered to be released on bail subject to furnishing bail bonds to the satisfaction of the Illaqa/Duty Magistrate subject, however, to the following conditions:-

- (i) She shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him/her from disclosing such facts to the Court or to any police officer; and*
- (ii) She shall not leave India without the previous permission of the Court.*

**12.01.2017**  
*yakub*

**(REKHA MITTAL)**  
**JUDGE**

Whether speaking/reasoned  
Whether reportable:

Yes/No  
Yes/No