

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

Criminal Misc. No.M- 486 of 2017(O&M)

Date of Decision: March 24 , 2017.

Jagwati @ Jaggo PETITIONER (s)

Versus

State of Haryana RESPONDENT (s)

CORAM:- HON'BLE MRS.JUSTICE LISA GILL

Present: Ms. Monisha Lamba, Advocate
for the petitioner.

Mr. Anmol Malik, AAG, Haryana.

LISA GILL, J.

Prayer in this petition is for grant of anticipatory bail to the petitioner in FIR No.201 dated 27.12.2016 under Sections 363/342/366A/376D/328/120B IPC and Section 6 of the Protection of Children from Sexual Offences Act, 2012 registered at Police Station Women, District Palwal.

It is submitted that the petitioner has been implicated in this case being a cousin sister (Bhua's daughter) of the main accused Jawahar. As per the allegations in the FIR, the said accused Jawahar alongwith the complainant resided in the petitioner's house for a period of nearly two months. It is submitted that the petitioner was merely supportive of the relations of the main accused Jawahar and the complainant therefore, she has been falsely implicated in this case. Furthermore, the petitioner has joined investigation pursuant to

order dated 13.2.2017 passed by this Court. Therefore, this petition be allowed.

Learned counsel for the State, on instructions from SI Devinder Kumar, has opposed this petition while submitting that the complainant was kept in the house of the petitioner for nearly two months by the main accused Jawahar. The person of the complainant has been violated by the main accused in the petitioner's house. Therefore, this petition be dismissed.

It is however not denied that the petitioner has joined investigation. No recovery is to be effected from her. The co-accused Jawahar is in custody. Custodial interrogation of the petitioner is not required in this case.

There are no allegations on behalf of the State that the petitioner is likely to abscond or that she is likely to dissuade the witnesses from deposing true facts in the Court, if released on bail.

Keeping in view the facts and circumstances as above but without commenting upon or expressing any opinion on the merits of the case, this petition is allowed. Consequently, order dated 13.02.2017 is made absolute.

It is clarified that none of the observations made hereinabove shall be construed to be a reflection on the merits of the case. The same are solely confined for the purpose of decision of the present petition.

March 24 , 2017.
'om'

(**LISA GILL**)
JUDGE

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