

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

Criminal Misc. No.M- 37750 of 2017(O&M)

Date of Decision: January 12 , 2018.

Ranjeet Kaur @ Rajni

..... PETITIONER (s)

Versus

State of Haryana

..... RESPONDENT (s)

CORAM:- HON'BLE MRS.JUSTICE LISA GILL

Present: Mr. Gurmandeep Singh Sullar, Advocate
for the petitioner.

Mr. Ashok S.Chaudhary, Addl.AG, Haryana.

1. Whether reporters of local papers may be allowed to see the judgment?
2. To be referred to the reporters or not?
3. Whether the judgment should be reported in the digest?

LISA GILL, J.

The petitioner prays for bail pending trial in FIR No.49 dated 04.06.2017 under Sections 323/363/366A/506/34/120B IPC and Section 6 of the Protection of Children from Sexual Offences Act, 2012, registered at Police Station Jhansa, District Kurukshetra.

It is submitted that the petitioner, who is a widow, has been falsely implicated in this case. Petitioner is the mother of the co-accused Harshdeep Singh, who is alleged to have committed rape upon the complainant's grand-daughter. It is submitted that the complainant reported his grand-daughter/the

victim aged about 17 years, to be missing since 02.06.2017. FIR in this respect was lodged on 04.06.2017. Information was received by the police that the victim had been admitted to the LNJP Hospital, Kurukshetra on 07.06.2017. She was brought to the hospital by her mother and brother, namely, Gurpreet Kaur and Karib Singh. While referring to the Medico-legal Report dated 07.06.2017, it is submitted that the victim did not allege violation of her person or complain of any sexual assault. No external injury was detected on her person. Internal examination of the victim was not carried out as the victim had not given any history of sexual assault. It is further submitted that the victim in her initial statement did not raise any allegations of rape. In her statement under Section 164 Cr.P.C., it was alleged that the present petitioner alongwith her son Harsheep forcibly took her to Ambala on a bike. She was taken to Jalandhar on a train by them. Allegations were raised against the grandmother and maternal uncle of co-accused Harsheep Singh as well. It is further stated by the victim that she was forcibly dropped at canal bridge at a little distance from her own residence. It is vehemently argued that the petitioner has been needlessly implicated in this case due to her relationship with Harshdeep, who is aged about 19 years old. Moreover, the complainant as well as the victim in this case have since deposed before the learned trial court. The present petitioner, who is a widow, is not involved in any other criminal case. It is thus prayed that this petition be allowed.

Learned counsel for the State submits that specific allegations have been raised against the present petitioner. However, it is not denied that the complainant as well as the victim/prosecutrix in this case have since testified

before the learned trial court. The petitioner, on instructions from ASI Dharambir, is not reported to be involved in any other criminal case. Trial in this case is not likely to conclude in the near future. 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 before the Court, if released on bail.

Keeping in view the facts and circumstances of the case but without commenting upon or expressing any opinion on the merits thereof, this petition filed by Ranjeet Kaur @ Rajni is allowed. The petitioner be released on bail pending trial subject to her furnishing requisite bail bonds and surety to the satisfaction of the learned Trial Court.

It is made clear that the petitioner shall not directly or indirectly try to contact the complainant, victim and any of her family members or witnesses in this case. Any such infraction on the part of the petitioner may entail cancellation of her bail.

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.

January 12 , 2018.
'om'

(**LISA GILL**)
JUDGE

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