

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

CRM-M No.54522 of 2018

Date of decision: 14.12.2018

Baba Sonia

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Harpreet S. Rakhra, Advocate
for the petitioner.

Mr. Sidakmeet Singh Sandhu, AAG, Punjab.

Ms. Anupam Bhanot, Advocate
for the complainant.

ARVIND SINGH SANGWAN J. (Oral)

Prayer in this petition is for grant of anticipatory bail to the petitioner in FIR No.66 dated 22.11.2018 registered under Sections 344, 364 and 307 of the Indian Penal Code (in short 'IPC') at Police Station Mohkampura, District Amritsar.

As per the allegations in the FIR, the complainant – Sandeep Kumar had stated that he was known to the petitioner and he used to do the work of dancing and playing drums in the Jagran function along with the petitioner. It is further stated in the FIR that on 11.11.2018, when he had gone to meet the petitioner, the petitioner along with 02 other unknown persons took him forcibly to some unidentified place and later on he became unconscious and when he gained his consciousness, he found that his private parts (penis and testicles) were removed from his body.

Counsel for the petitioner has submitted that, in fact, it is a

dispute regarding the area maintained by the petitioner, who is a kinner (eunuch) and the complainant want to take the area from her. It is further submitted that the petitioner was not present at the spot and in fact, she had gone to Aligarh (Uttar Pradesh) on the date of occurrence.

Counsel for the State, on instructions from ASI Kulwant Singh, assisted by counsel for the complainant has opposed the prayer for bail on the ground that there are direct allegations against the petitioner which invokes the provisions of Section 307 IPC. Counsel for the State has further argued that from the call details of two mobile numbers i.e. 9876567014 and 8968044596, it is apparent that her (the petitioner) location was there at the place of occurrence.

Considering the fact that the complainant is a young man aged about 26 years and there are specific allegations against the petitioner supported by the medical evidence that his private parts have been chopped off, coupled with the fact that the call location of the petitioner show that he was very much present in the area, I find no ground to grant the concession of anticipatory bail to the petitioner.

Dismissed.

(ARVIND SINGH SANGWAN)
JUDGE

14.12.2018

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Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No