

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

CRM-M-8496-2018

Date of decision: 28.02.2018

Rehna @ Chunna

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: Mr. J.S. Saneta, Advocate,
for the petitioner.

JAISHREE THAKUR, J. (ORAL)

This is a petition that has been filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in case FIR No. 1161 dated 06.11.2017 under Sections 148, 149, 323, 354, 506 IPC, registered at Police Station, City Panipat, District Panipat.

The contents of the FIR are extracted as under :-

“To, SHO Sahib, Police Station City Panipat, Subject : Application for taking legal action against accused Hanif S/o Rafa, Sadu S/o Rafa, Hasin S/o Mahmood, Tausif S/o Sarif, Biri S/o not known, Haroon S/o not known, Mona W/o Hanif, Nafisa W/o Sadu, Ravina W/o Hasin, Nargis W/o Saukin, Chuna W/o Abid, Farjana W/o Pappu, Farah W/o Imam, Shami W/o Farid, Sama D/o Mahmood and Ashma D/o Hamid and 4-5 others. Sir, it is requested that I am resident of Bharat Nagar Panipat and today on dated 06/11/17, I and my mother were coming to Panipat Court for date. At 1:30 PM, after peshi, I alongwith my mother reached to Parking for going back to home. Then above said accused collided together and with a conspiracy came near to me. I was wearing Burka and was standing near to my mother. Out of

above accused, Hasin caught hold my Burka and put me in vehicle then Sama and Farha tried to strangulate me with my Chunni (dupatta) with intention to kill. All the above said accused had come with intention to kidnap me and attacked me for kidnapping. Accused Hanif told kill her we will see whatever happen. At that time my foot were out of the vehicle. In the mean time my mother tried to save me from the above accused, then all the accused gave beatings to me and my mother and insulted. We have been beaten and insulted at a public place. All the above accused had come with intention to kidnap me and all the accused by colluding together attacked me with intention to kidnap me. My Burka was also torn due to their beatings and after some time I became senseless. I do not know who had taken me to hospital and I got sense in hospital. Myself and my mother Farjana got our medical done and has come to you to give application with regard to the attack done by the above accused with intention to kidnap. Above accused wants to kill me. Earlier also these people had attacked me and my family. These people had also torn our clothes in the public place. So it is prayed to you that legal action should be taken against all the accused and protection of life and liberty should be granted to me and my family. Thanking you. Sd/-Faujia.”

Learned counsel for the petitioner contends that the petitioner has been falsely implicated in the case and that she has no connection with the alleged offence complained of.

As per the contents of the FIR, no threat was extended by the petitioner to the complainant. While further arguing learned counsel for the petitioner contends that there is a matrimonial dispute between the complainant party and several false cases have been registered. It is further argued that nothing is to be recovered from the possession of the petitioner and she is ready to join investigation as and when required.

Appearance has been caused on behalf of the complainant through

Mr.Vinod Bhardwaj, Advocate and files vakalatnama, who objects to the grant of anticipatory bail to the petitioner herein.

Learned counsel for the complainant submits that enough evidence is available on the record and the photographs available would reflect that the petitioner herein is part of the group of persons who had attacked the complainant with an intent to kidnap her. The complainant and her mother also suffered severe beatings and injuries and resultantly she became unconscious and was taken to the hospital and an MLR was also conducted.

I have heard learned counsel for the parties and have also seen the photographs as produced by the complainant which would reflect that there is a huge scuffle that has taken place between the complainant and the accused. The name of the petitioner has been mentioned in the FIR and, therefore, cannot take advantage of the interim bail granted to co-accused whose name was not reflected in the FIR.

In view of the discussion made herein above, this Court does not find any merit in the present petition.

Dismissed.

28.02.2018

Satyawan

**(JAISHREE THAKUR)
JUDGE**

Whether speaking/reasoned
Whether reportable

Yes.
No.