

**In the High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-26335-2019 (O&M)
Date of Decision:-4.12.2019

Tarawati and others ... Petitioners

Versus

State of Haryana ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Kunal Dawar, Advocate for the petitioners.

Mr. Ashok Singh Choudhary, Addl. Advocate General, Haryana,
assisted by ASI Ishwar Kumar.

GURVINDER SINGH GILL, J.(Oral)

1. The petitioners have approached this Court seeking grant of anticipatory bail in respect of a case registered vide FIR No.326 dated 25.11.2018 at Police Station Kasola, District Rewari, Haryana under Sections 323, 506 and 34 of Indian Penal Code and Section 8 POCSO Act, 2012 and Section 3 of SC/ST Act, 1989.
2. The FIR was lodged at the instance of Lalita, wherein it has been alleged that she belongs to Valmiki Caste and that she alongwith other members of her family is residing in the house of Surender Kumar since the last about 4 years. It is alleged that on 25.11.2018 while she was collecting cow dung

then one boy came silently and covered her mouth with his hand from behind and started touching her breasts and also put his hand inside her salwar. When the complainant raised alarm her mother and sister were attracted to the spot but the said boy, whose name is Birender, gave beatings to complainant's mother and sister. It is further alleged that Pavitra i.e. wife of Birender, Devender who is Birender's brother as well as Birender's mother namely Tarawati also came there and started beating the complainant and others and they gave a blow with a brick on the complainant's neck and threw brickbats on the chest of complainant's sister and also uttered objectionable words against the caste of the complainant.

3. The learned counsel for the petitioners has submitted that a false FIR has been lodged at the instance of Surender i.e. landlord of the complainant and the said Surender is having property dispute with his brothers namely Devender and Birender . It has further been submitted that the main accused namely Birender has already been granted regular bail and that since the petitioners have already joined investigation, they also deserve the concession of anticipatory bail.
4. Opposing the petition, the learned State counsel has submitted that since the petitioners are specifically named in the FIR, no case for grant of bail is made out. It has, however, been informed that pursuant to interim directions the petitioners have also joined investigation.
5. Having regard to the facts and circumstances and while also bearing in mind that two of the petitioners are ladies and that the petitioners have already joined investigation, their custodial interrogation is not warranted. The petition, as such, is accepted and the interim directions issued by this Court

vide order dated 6.6.2019 are hereby made absolute subject to the condition that the petitioners shall join investigation as and when called upon to do so and cooperate with the Investigating Officer and shall also abide by the conditions as provided under Section 438 (2) Cr.P.C.

4.12.2019

pankaj

**(Gurvinder Singh Gill)
Judge**

Whether speaking /reasoned Yes / No

Whether Reportable Yes / No