

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

CRM-M-45886-2019 (O&M)
Date of Decision:-31.10.2019

Veerpal Kaur ... Petitioner

Versus

State of Punjab ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Naveen Sharma, Advocate for the petitioner.

Ms. Ruchika Sabherwal, Assistant Advocate General, Punjab.

GURVINDER SINGH GILL, J.(Oral)

1. The petitioner has approached this Court seeking grant of regular bail in respect of a case registered vide FIR No.65 dated 5.6.2019 at Police Station Maur, District Bathinda under Sections 376, 452, 506 and 120-B of Indian Penal Code and Section 4 of POCSO Act, 2012.
2. The FIR was registered at the instance of the prosecutrix, wherein it has been alleged that her father had expired about 8 years back and that her mother is working as 'Anganwari Helper'. It is alleged that on 15.5.2019, the complainant's mother, upon receipt of a call from Veerpal Kaur, went to the Court to attend to a hearing. It is alleged that Veerpal Kaur sent Gaggu Singh, son of uncle of complainant's mother, to her house at about 1:00 P.M. and who after coming, raped the complainant. When the complainant raised alarm, said Gaggu Singh took out a knife and threatened to eliminate her. It is

alleged that the petitioner Veerpal Kaur had earlier asked her several times to talk to Gaggu Singh.

3. The learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in the present case and even as per the FIR it is evident that she was neither present at the spot and the only allegation levelled against the petitioner is that on some earlier occasion she had asked the prosecutrix to talk to co-accused Gaggu Singh.
4. Opposing the petition, the learend State counsel has submitted that since the petitioner is specifically named in the FIR and it is apparent that she is a co-conspirator, no case for grant of bail is made out. It has, however, been informed that charges have already been framed and that, till date, not even a single prosecution witness has been examined.
5. Having regard to the facts and circumstances of the case and while bearing in mind that the petitioner is a lady and has been behind bars since the last more than 4 months and that although charges have been framed, but till date, not even a single prosecution witness has been examined, further detention of the petitioner will not serve any useful purpose as the conclusion of trial will take some time. The petition, as such, is accepted and it is ordered that the petitioner is ordered to be released on bail on her furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate, concerned.

31.10.2019

pankaj

**(Gurvinder Singh Gill)
Judge**

Whether speaking /reasoned Yes / No

Whether Reportable Yes / No