

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

CRM-M-48380-2019 (O&M)
Date of Decision:-11.12.2019

Ranjit Kaur

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Ms. Gursharan K. Mann, Advocate for the petitioner.

Ms. Ruchika Sabherwal, Assistant Advocate General, Punjab,
assisted by ASI Surjit Singh.

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.0149 dated 8.10.2018 at Police Station C-Division, District Police Commissionerate, Amritsar under Sections 376, 363, 366 and 120-B of Indian Penal Code and Section 4 of POCSO Act.
2. The FIR was lodged at the instance of the victim, wherein it has been alleged that her date of birth is 28.11.2002 and that on 6.10.2018 while she was going to school, Rahul @ Rohit met the victim and asked her to speak to his sister-in-law (*bhabhi*) namely Ranjit Kaur (petitioner). Although the victim initially refused for the same but upon persistence by Rahul @ Rohit she spoke to the petitioner telephonically and asked about her well being. The

aforesaid Rahul @ Rohit then took her to the house of Ranjit Kaur where she was present. It is alleged that later the aforesaid Rahul @ Rohit forcibly established physical relations with her although she was resisting to the same. It is further stated therein that infact Rahul @ Rohit had enticed her for marrying him and that on the said pretext had taken her to the house of his sister-in-law.

3. The learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in the present case simply in order to pressurize the entire family of Rahul @ Rohit with whom the victim apparently had some kind of relations. The learned counsel has further submitted that, in any case, the petitioner as on date has been behind bars since the last about 1 year and 2 months and in these circumstances she being a lady deserves the concession of bail.
4. Opposing the petition, the learned State counsel has submitted that in the present case the complicity of the petitioner is evident inasmuch as it was in her residence that the co-accused Rahul @ Rohit raped the victim and in these circumstances, no case for grant of bail is made out. It has, however, been informed that as on date only 5 PWs out of the cited 24 PWs have been examined.
5. Having considered rival submissions addressed before this Court and without commenting anything as regards merits of the case and while bearing in mind that the petitioner is a lady, who has been behind bars since the last 1 year and 2 months and that conclusion of trial is likely to take some time as only 5 PWs out of the cited 24 PWs have been examined, further detention of the petitioner will not serve any useful purpose. The petition, as such, is accepted

and it is ordered that the petitioner be released on bail subject to her furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

11.12.2019
pankaj

(Gurvinder Singh Gill)
Judge

Whether speaking /reasoned	Yes / No
Whether Reportable	Yes / No