

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

CRM-M No.7607 of 2020

Date of decision: 18th May, 2020

Ninderpal Kaur

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present: Mr. Piyush Sharma, Advocate for the petitioner.

Mr. Dhruv Dayal, Sr. Deputy Advocate General, Punjab
for the respondent/State.

FATEH DEEP SINGH, J. (ORAL)

The matter has been taken up through video-conferencing on account of lockdown due to outbreak of pandemic COVID-19.

Petitioner Ninderpal Kaur has moved this second anticipatory bail application under Section 438 Cr.P.C. (the earlier one having been dismissed by this Court on 30.05.2019) in case bearing FIR No.43 dated 16.10.2018 under Sections 376, 120-B IPC and Section 4 of the Protection of Children from Sexual Offences Act, 2012 pertaining to Police Station Arif Ke, District Ferozepur.

The precise allegations brought to the notice of the Court by learned State counsel are that present case was got registered on the statement of an un-married girl, a minor aged around 15 years alleging that on 12.10.2018 afternoon she was called by the petitioner, who happens to be her *bhabhi*, downstairs and where her accomplice accused

non-applicant Arshdeep Singh alias Karamjit Singh forcibly took her inside a room and ravaged her.

Learned counsel for the petitioner Mr. Piyush Sharma, Advocate has sought to argue that the principal accused Arshdeep Singh alias Karamjit Singh has since been acquitted by the Court vide judgment and order date 28.05.2019 and that no specific role is attributed to the petitioner in commission of the offence.

On behalf of the State, Mr. Dhruv Dayal, Sr. Deputy Advocate General, Punjab has vehemently opposed the grant of bail firstly on the grounds that since the day of the occurrence in October 2018 till date the petitioner has evaded the law and has managed the course of justice and that there are specific allegations against her in commission of the crime.

Appreciating the submissions of the two sides, for almost one year and six months the petitioner has evaded the law. Her previous similar bail application was declined by this Court. Keeping in view that the victim is a minor and in the light of heinousness of the offence and seriousness of allegations, no cause for grant of anticipatory bail is made out. The petitioner stands dismissed accordingly.

(FATEH DEEP SINGH)
JUDGE

May 18, 2020

rps

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No