

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-16954-2020 (O&M)
Date of decision: 16.07.2020

Sonia Bhatia

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Monty Goyal, Advocate
for the petitioner.

Mr. M.S. Dulat, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for grant of regular bail in FIR No.255 dated 03.12.2019 under Sections 376, 506, 120-B IPC and Sections 3, 4, & 18 of POCSO Act, registered at Police Station City Jagraon, District Ludhiana.

Learned counsel for the petitioner submits that in the FIR, the prosecutrix 'M' has given long details of various incidents including her step mother Kanchan Verma and other relatives, who have sexually exploited her. It is further submitted that in fact, allegations against the petitioner are that she was a friend of Kanchan Verma and on one occasion, Kanchan Verma along with Jyoti has brought her to house of the petitioner in Village Manakwal,

Ludhiana, where one person had made forcible physical relation with her and thereafter, her step mother Kanchan Verma took her back to her house. It is also submitted that later part of the FIR relates to different persons including two more ladies Suman and Sabnam apart from Jyoti and in subsequent part of the FIR, the complainant has given the details as to how other persons had sexually exploited her and even she has levelled against her father that he used to give beatings to her.

Learned counsel for the petitioner has further submitted that there is no direct allegation against the petitioner of having any conspiracy with a person, who allegedly made forcible physical relation with the complainant, as neither his name is disclosed nor the date, time or year of the incident is disclosed in the FIR relating to the petitioner. It is further argued that except for one incident, there is no reference to any other allegation against the petitioner and even the complainant has given an affidavit (Annexure P-2) dated 11.06.2020 that she neither knew the petitioner nor she ever met her.

Learned State counsel has submitted that only three ladies Suman, Kanchan Verma and Sonia Bhatia (petitioner) have been arrested and no male person, against whom allegations are there, have been arrested so far. It is further submitted that challan qua the petitioner has already been presented on 06.06.2020; there are 09 PWs and charges are yet to be framed. It is not disputed that the petitioner is not involved in any other case.

Without commenting anything on merits of the case, considering the aforesaid submissions made by learned counsel for the parties, this petition is allowed and the petitioner is directed to be released on regular bail subject to

furnishing her bail/surety bonds to the satisfaction of the trial Court/Illaq
Magistrate/Duty Magistrate, concerned.

Petition is disposed of.

[ARVIND SINGH SANGWAN]
JUDGE

16.07.2020
vishnu

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No