

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

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IN VIRTUAL COURT

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**CRM-M No. 20527 of 2020
Date of decision : 27.7.2020**

Sonia Mahant @ Sonia Baba

.....Petitioner

Vs.

State of Punjab

.....Respondent

Coram: HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present : Mr. A.S. Manaise, Advocate, for the petitioner

Rajbir Sehrawat, J. (Oral)

The present petition has been filed by the petitioner under Section 438 Cr.P.C for grant of anticipatory bail in case FIR No. 124 dated 1.7.2020, registered under Sections 326, 342, 328, 506 and 120B IPC, at Police Station City Gurdaspur, District Gurdaspur.

It is contended by the counsel for the petitioner that the case against the petitioner is totally concocted. In fact, the son of the complainant, namely; Deepak Kumar was already leading a girlish way of life. Therefore, he had joined the group of the petitioner, which is surviving by getting money from the public by blessing them on various occasions. The son of the complainant had also been part of that group. There is absolutely no question of any forcible act on the part of the petitioner. The counsel has placed on record the photographs of the son of the complainant, in which he is seen happily dressed as a girl and is seen in totally feminine manner.

Notice of motion.

Mr. V.G. Jauhar, Senior DAG, Punjab, accepts notice on behalf of the State and Mr. Ritesh, Advocate, accepts notice on behalf of the complainant.

The counsel for the State, being instructed by SI Jasbir Singh, has submitted that the name of the petitioner has specifically been mentioned by the complainant. The petitioner was granted interim protection by the Court below as well. However, during interrogation, the petitioner had not cooperated and did not disclose to the police about the hospital; where the operation upon the son of the complainant was conducted. However, the counsel does not dispute the photographs attached with the petition, which shows the son of the complainant in altogether a feminine manner. It is also not disputed that these photographs are about two months prior to the registration of the FIR by the complainant.

In view of the above, the present petition is allowed. In the event of arrest, the petitioner shall be released on bail, subject to her furnishing personal bonds/surety to the satisfaction of the Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions as provided under Section 438(2) Cr.P.C.

(RAJBIR SEHRAWAT)
JUDGE

27.7.2020

Ashwani

Speaking/Reasoned	:	Yes/No
Reportable	:	Yes/No