

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH

CRM-M No.39845 of 2020 (O&M)
Date of Decision.07.12.2020
(Heard through VC)

Reena ...Petitioner
Vs
State of Punjab ...Respondent

CORAM:HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: Mr. Beant Singh Seemar, Advocate
for the petitioner.

Ms. Monika Jalota, DAG, Punjab.

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JAISHREE THAKUR J. (ORAL)

This is a petition that has been filed for grant of regular bail to the petitioner in case FIR No.89 dated 01.05.2020 registered under Sections 376, 506, 376-DA & 109 IPC and Sections 6 and 17 of the POCSO Act, 2012 at Police Station Garhshankar, District Hoshiarpur.

Learned counsel for the petitioner *inter alia* would contend that the petitioner herein is mother of the prosecutrix, who has falsely been implicated in the instant case as would be evident from the fact that the prosecutrix, who had raised allegations of involvement of the petitioner in offence under Section 376 IPC, has refused to get her medical examination done. The said prosecutrix had run away with one Ranjit Singh and an FIR had been registered in this regard. The co-accused has already been granted bail by this Court vide order dated 24.11.2020 passed in CRM-M No.38375 of 2020. Custodial interrogation of the petitioner is no longer required since the matter has been investigated and charges have been framed after filing of the challan.

Learned counsel appearing on behalf of the respondent-State opposes grant of regular bail to the petitioner but she is not in a position to dispute the fact that the FIR has been registered against said Ranjit Singh or that the charges have already been framed.

I have heard learned counsel for the parties and have perused the paper book.

Keeping in view the fact that the prosecutrix has refused to get her medical examination done and the co-accused has been allowed bail by this Court coupled with the fact that the trial is likely to take some time to conclude owing to *novel corona virus* situation, no useful purpose would be served by keeping the petitioner behind bars. The instant petition is allowed and the petitioner is directed to be released on regular bail on execution of adequate personal/surety bond to the satisfaction of concerned trial Court/Duty Magistrate. However, any observation made herein shall not be construed to be an expression on merits of the case.

(JAISHREE THAKUR)
JUDGE

December 07, 2020

Pankaj*

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No