

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

Crl. Misc. M- 51001-2019 (O&M)

Date of Decision: January 24, 2020

Maqsoodan

... Petitioner

Versus

State of Haryana

... Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Saleem Ahmed, Advocate
for the petitioner.

Ms. Mahima Yashpal, Asst. A.G., Haryana.

Mr. Vipul Aggarwal, Advocate
for the complainant.

JAISHREE THAKUR, J. (Oral)

The instant petition has been filed under Section 438 Cr.P.C., for grant of anticipatory bail to the petitioner in FIR No. 64 dated 09.03.2019 under Sections 376, 452, 506, 120-B Indian Penal Code registered at Police Station Women Nuh, District Nuh.

Learned counsel for the petitioner prays for grant of anticipatory bail which is contested by both learned counsel for the respondent-State as well as learned counsel for the complainant. Learned counsel for the petitioner further submits that the allegations in the FIR are absolutely wrong as a compromise had been effected between the prosecutrix and her husband Amir to part ways, two days prior to the

alleged date of occurrence and that the prosecutrix had appended her signatures on the compromise deed in the presence of Panchayat members, which argument is opposed by learned counsel for the complainant.

Learned counsel for the respondent-State would submit that there are specific allegations against the petitioner that she had facilitated the rape by locking the prosecutrix in the room and signaling the main accused while it is also submitted that the statement of the prosecutrix has been recorded under Section 164 Cr.P.C. in which she has supported the version of the prosecution and the medico-legal report also confirms the offence.

I have heard learned counsel for the parties and taken note of the contentions made by them. Since the allegations made in the FIR are serious in nature and the prosecutrix has supported her version that the petitioner herein facilitated the main accused in committing the offence of gang rape, so the custodial interrogation of the petitioner would be required, the instant petition for grant of anticipatory bail to the petitioner is accordingly dismissed.

January 24, 2020

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**(JAISHREE THAKUR)
JUDGE**

Whether speaking/reasoned
Whether reportable

Yes
Yes/No