

223

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-10354-2021 (O&M)
Date of decision-22.03.2021

Anjali Piplani @ Meena

...Petitioner

Vs.

State of Punjab

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Ms. Gursharan K. Mann, Advocate for the petitioner.

Mr. Ramdeep Partap Singh, D.A.G., Punjab.

MANOJ BAJAJ, J.

Anjali Piplani @ Meena has filed this petition under Section 439 Cr.P.C. for grant of regular bail in case FIR No.56 dated 9.5.2019 under Sections 376-D/120-B IPC, Police Station E-Division, District Amritsar. The petitioner is in custody since her arrest on 18.2.2020.

The above FIR in question was initially registered at Police Station Padampur, District Sri Ganganagar as Zero FIR and was later on forwarded to District Amritsar where the above FIR was recorded.

As per the allegations, the victims had voluntarily left their house on 31.7.2018 and reached at Amritsar, where they came in contact with two persons, namely, Gagan and Vicky. They both promised a job for them and took them to the house of Vicky, where they raped the victims repeatedly. Later on, the victims were sent to other persons as well and

accused Simmi facilitated the illegal sexual activities at her residence. Gagan used to send one of the victims outside the town as well. One of the victims was sent to Delhi where she was forced to continue with the illegal sexual activities facilitated by Kamlesh Verma, Jyoti Sharma, Anil and Raju. As per the allegations, those two boys confined the girls at their house for 6-7 months where 4-5 other girls were also staying. On these broad allegations, the above FIR was registered.

Learned counsel for the petitioner contends that the name of the petitioner does not figure in the FIR and she was nominated subsequently on the basis of statement made by the victim under Section 164 Cr.P.C. It is pointed out that the other co-accused of the petitioner have already been released on regular bail through orders (Annexure P-2 to P-7). Learned counsel has further argued that the allegations of rape as alleged in the FIR are not attributed to the petitioner and, therefore, in the given background, further custody of the petitioner may not be necessary. She prays for regular bail.

On other hand, Mr. Ramdeep Partap Singh, D.A.G., Punjab assisted by SI Arun has opposed the prayer on the ground that the petitioner facilitated the alleged crime, but it is not disputed by him that the other co-accused of the petitioner have been released on regular bail. Learned State counsel has informed that the final report already stands presented before the Court of competent jurisdiction.

After hearing the learned counsel for the parties and considering the fact that similarly situated co-accused of the petitioner have already been released on regular bail, this Court is of the opinion that the further custody

of the petitioner may not be necessary for any useful purpose, who is presently confined in judicial custody after her arrest on 18.02.2020. Further, the prosecution is yet to examine its witnesses and it may take considerable time to conclude the trial.

Resultantly, without meaning any expression of opinion on the merits of the case, it is ordered that the petitioner be released on regular bail subject to her furnishing requisite bail bonds/surety bonds to the satisfaction of the trial Court/Duty Magistrate, Amritsar.

The petition is allowed.

(MANOJ BAJAJ)
JUDGE

22.03.2021
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Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No