

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

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CRM-M-42688-2022

Date of decision : 25.01.2023

Ramanjeet Singh @ Manjeet Singh

..... Petitioner

V/S

State of Punjab

..... Respondent

CORAM : HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present: Mr.P.K.S.Phoolka, Advocate
for the petitioner.

Mr. M.S.Joshi, Addl. A.G. Punjab.

AMARJOT BHATTI J. (ORAL)

The petitioner - Ramanjeet Singh @ Manjeet Singh filed the instant petition under Section 439 of Cr.P.C. seeking regular bail in FIR no.059 dated 06.04.2021 under Sections 376, 506, 120-B, 34 IPC and Section 66-E, 67 and 67-A of I.T.Act, registered at Police Station Civil Lines Bathinda, District Bathinda.

The facts of the case are that the complainant gave her statement to the police that she is mother of a son. Her husband is doing private job in Maharashtra for the last 15 years. Their neighbour Bharti S/o Purna Singh aged about 22 years was on visiting terms at her house. Apart from him Ramanjit Singh, Gurmeet Kaur and Jaswinder Kaur @ Rano used to visit her house. In the month of June, 2018 Bharti and Ramanjeet Singh @ Manjeet Singh called her to the house of Soni Bhagu (sister of Ramanjeet Singh @ Manjeet Singh) where

Jaswinder Kaur and Gurmeet Kaur were already present. All of them in

connivance with each other forced her to have physical relations with Ramanjeet Singh @ Manjeet Singh against her wishes. She was threatened with dire consequences. Ramanjeet Singh @ Manjeet Singh raped her several times, as she was alone in the house. She did not tell anybody to save her honour. Ramanjeet Singh @ Manjeet Singh did not stop behaving in this manner. Ultimately, the matter was reported to the police.

Learned counsel for the petitioner argued that the petitioner is falsely implicated in this case, no such occurrence took place. There is long delay in lodging the FIR. The said prosecutrix is major and mother of a son. There is no medical record to prove her version. The counsel for the petitioner further referred to the statement of prosecutrix recorded as PW-1. It is pointed out that her entire statement is already recorded, even several prosecution witnesses have been examined. The petitioner is behind the bars for the last one year eight months. He is ready to abide by the terms of bail order. It is prayed that his regular bail application may be allowed.

The learned counsel representing the State has opposed the bail application. He has filed fresh status report in which it is further alleged that till date 14 prosecution witnesses have examined and the case is pending for 22.02.2023. It is argued that there are serious allegations against the present petitioner. Therefore, he is not entitled to be released on bail.

I have considered the arguments and have gone through the record carefully. It cannot be disputed that the prosecutrix is about 36 years of age and is a married lady having a son aged about 13 years.

She has leveled allegations of rape against the present petitioner. The

alleged occurrence took place in June, 2018 and the present FIR has been registered on 06.04.2021. The challan is already presented and the trial is under progress. As per the fresh status report 14 witnesses have been examined. The complete statement of prosecutrix recorded as PW-1 is also on the file. So far as the merits of the case and the statement of prosecutrix as PW-1 is concerned that will be appreciated by the trial Court at the time of final disposal of the case. At this stage it cannot be said that Ramanjeet Singh @ Manjeet Singh can influence the prosecutrix as her statement is already recorded. He is already in custody for the last about one year eight months. The rest of the evidence is yet to be recorded. Trial of this case may take some time. Therefore considering these facts without expressing my mind on the merits of the case, the regular bail application filed by Ramanjeet Singh @ Manjeet Singh is allowed. He is ordered to be released on bail to the satisfaction of trial Court/Duty Judge concerned.

Accordingly, the present petition stands disposed of.

(AMARJOT BHATTI)
JUDGE

25.01.2023.
Sunil Devi

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