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

CRR-1643-2023

Date of Decision:- 08.09.2025

**Santosh Rani**

...Petitioner

Versus

**State of Punjab and another**

...Respondent

**CORAM:- HON'BLE MRS. JUSTICE AMARJOT BHATTI**

Present:- Mr. Chahit Bansal, Advocate  
for the petitioner.

Ms. Amrit Kaur Mahir, AAG, Punjab.

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**AMARJOT BHATTI, J.(Oral)**

1. Petitioner Santosh Rani has filed revision against impugned order dated 11.05.2023 whereby learned Judge Special Court, Barnala had framed charges against petitioner under Section 3(1)(s) and 3(2)(5) of the Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act, 1989 (for short 'SC/ST Act').

2. Brief facts of the case are, FIR No. 340 dated 10.07.2020 was registered at Police Station City Barnala under Section 346 of IPC (Annexure P-1) on the statement of 'MK' mother of victim who stated that his daughter 'SK' aged about 22 years was pursuing her BCA from Punjab University College Gharuan Road, Barnala. On 24.06.2020 at about 12 O'clock noon, she went to the market on her Honda Activa bearing registration No. PB 19P 9501 for getting her certificates photostat. She went along with Karamjit Kaur alias Aman who was tenant in their house for the last about two months, but they did not return home till evening.



She alongwith husband of Karamjit Kaur namely Chand Lal went to Barnala City in search of them but could not locate their whereabouts. Matter was reported to police and FIR was initially lodged under Section 346 of IPC.

As per status report, on 28.07.2020, victim herself reached Court Complex Barnala and upon coming to know about the same, ASI Karamjit Singh, Investigating Officer went there and statement of victim was got recorded before Judicial Magistrate Ist Class, Barnala. Karamjit Kaur was already arrested on 23.07.2020 and in view of statement of victim recorded before Judicial Magistrate, she was discharged by Investigating Agency on 29.07.2020. On 20.02.2021, victim got herself admitted in Civil Hospital, Barnala. After getting opinion of doctor about her fitness, her statement was recorded by Lady SI Rajpal Kaur on 22.02.2021 where she explained that she had earlier given her statement under Section 164 Cr.P.C. under pressure of the accused. She escaped from their clutches on 15.02.2021. On 23.02.2021, application was moved before Chief Judicial Magistrate which was marked to Judicial Magistrate Ist Class for recording statement of victim under Section 164 Cr.P.C. where she named accused responsible for occurrence and offences under Section 376-D, 328, 506, 120-B, 34 of IPC were added. During investigation, offence under Section 3(2)(v) of SC/ST Act was added. Investigation was completed and challan was presented against accused Chand Lal, Amritpal Kaur, Manoj Sharma alias Baba, Santosh Rani, Deepak Gupta, Priyanka Gupta and Pawan Kumar. Later, on completion of investigation, supplementary challan was to be presented against Karamjit Kaur, Kaka



Singh, Lalit Gupta, Dharminder Singh, Parmo, SI Gulab Singh, ASI Darshan Singh and ASI Karamjit Singh. During trial, learned Additional Sessions Judge-cum-Special Judge, Barnala passed impugned order dated 17.08.2021 whereby Karamjit Kaur alias Aman, Lalit Gupta, Dharminder Singh, Kaka, Baljit Kaur, Lakhwinder Singh, Parmo, SI Gulab Singh, ASI Darshan Singh and ASI Karamjit Singh were ordered to be summoned under Section 376-D, 328, 346, 365, 366, 120-B, 506, 34, 166-A of IPC and Section 3(2)(v) of SC/ST Act, 1989. After procuring the presence of all accused, present petitioner alongwith other co-accused has been charge-sheeted vide impugned order dated 11.05.2023 and detailed charge-sheet framed against all accused of even date is also annexed herewith.

3. Learned counsel for petitioner argued that petitioner is falsely implicated in present case. When FIR was registered, present petitioner was not named. She also referred to the statement of victim recorded under Section 164 Cr.P.C. dated 28.07.2020 (Annexure P-3) where she did not level allegations against her or any of the other accused. Subsequently, victim changed her version and she again appeared before the learned Magistrate for recording of her statement under Section 164 Cr.P.C. dated 23.02.2021 (Annexure P-4). Even in this statement, present petitioner was not named. No proper investigation was carried out by Investigating Agency and she was wrongly arrayed as accused. At the time of framing of charge-sheet, aforesaid facts were not considered by the trial Court and without any justification passed impugned order dated 11.05.2023 vide which she alongwith other co-accused has been charge-sheeted under the provisions of Section 3(1)(s) and Section 3(2)(5) of SC/ST Act. Charge has



been framed against the petitioner in routine without passing speaking order. It is submitted that revision preferred by petitioner may kindly be accepted and impugned order dated 11.05.2023 framing of charge-sheet qua petitioner may kindly be set aside.

4. On the other hand, learned counsel representing State filed detailed status report giving all the details regarding the manner in which investigation was carried out from time to time and challan was presented against accused including present petitioner. Prosecutrix belong to Schedule Caste community and vide DDR No. 74, offence under Section 3(2)(5) of SC/ST Act was added. On the conclusion of investigation, it was revealed that present petitioner alongwith other co-accused entangled the prosecutrix and she was sexually exploited. Role of petitioner came into light when disclosure statements of other co-accused were recorded. Prosecutrix specifically named present petitioner also. Therefore, considering the totality of facts and circumstances of present case, petitioner was rightly charge-sheeted alongwith other co-accused by passing order dated 11.05.2023. Present criminal revision has been filed only to delay the proceedings of case. Infact, at present entire prosecution evidence has been concluded and case is fixed for defence evidence.

5. I have considered the arguments and have gone through the record carefully. At the time of framing of charge-sheet, trial Court is required to see only prima facie case. Initially FIR was registered on the statement of complainant 'MK' mother of victim who lodged missing report of her daughter. Victim herself appeared in Court Complex, Barnala on 28.07.2020 and her statement was recorded before the Judicial



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Magistrate Ist Class, Barnala (Annexure P-3), where she did not level any allegations against anybody. Thereafter, she got herself admitted in hospital on 21.02.2021 and thereafter, she was taken before Judicial Magistrate Ist Class and her statement was recorded under Section 164 Cr.P.C. on 23.02.2021 (Annexure P-4), where for the first time she gave details of facts as well as named the persons responsible for occurrence. At this stage, name of present petitioner also cropped up regarding providing treatment to victim and then shifting her from one place to the other. Present petitioner was challaned alongwith other co-accused. After procuring service of all accused, she has been charge-sheeted on 11.05.2023.

Therefore, considering the statement of prosecutrix and investigation carried out by Investigating Agency, there was sufficient material before the trial Court for framing charge-sheet against petitioner. Consequently, I do not find any reason to interfere in impugned order dated 11.05.2023 passed by learned Judge Special Court, Barnala. In case, any particular offence is not made out against petitioner or any other co-accused that can be appreciated by the trial Court at final stage, especially when trial is at its fag end. With this observation, criminal revision preferred by petitioner is, accordingly, dismissed.

6. Pending miscellaneous application(s), if any, stand disposed of accordingly as well.

08.09.2025

*lalit***(AMARJOT BHATTI)  
JUDGE**

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