

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

**Crl. Misc. No.M-21223 of 2015 (O&M)
Date of Decision: July 8, 2015.**

Babli

.....PETITIONER(s).

VERSUS

State of Punjab

.....RESPONDENT(s).

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr.Devinder Singh Gurna, Advocate
for the petitioner (s).

Mr.Amrit Pal Singh Gill, AAG, Punjab.
for respondent (s).

SURINDER GUPTA, J.(Oral)

Heard.

Notice of motion.

On asking of the court, Mr.Amrit Pal Singh Gill, AAG, Punjab, who is present in the Court accepts notice and submits that intimation by Registry informing of fixation of the petition has already been received and record of the case is available with him. Custody certificate has been received in the Court which is taken on record.

The police of police station Zirakpur registered the FIR No.82 dated 28.04.2015 on the statement of Vipin Kumar who alleged that his sister had been kidnapped and his friend Anil Thakur had received a call that in case they want to have the custody of his sister, ₹1,50,000 be deposited in the account of the caller. He levelled allegations against the

petitioner that she had kidnapped his sister. In her statement under Section 164 Cr.P.C. got recorded by the victim, she has stated that she left Chandigarh of her own and was not abducted by anyone. Against the petitioner she has levelled allegation that it was on her allurements that she married one Raja Ram Soni and petitioner had taken a sum of ₹1,50,000 from family of Raja Ram.

The victim who was major, left her home of her own, as per her statement recorded under Section 164 CrPC.

Without expressing any opinion on merits of the case and keeping in view the above facts, the present petition is allowed. Petitioner is ordered to be released on regular bail on furnishing bail bond and surety bond to the satisfaction of Ilaka Magistrate/Duty Magistrate, Derabassi subject to following terms:-

- a. The petitioner shall comply with the conditions mentioned in Section 437(3) Cr.P.C.
- b. In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn. The trial Court shall be competent to cancel his bail bond and surety bond and proceed to procure his presence in accordance with law. In that eventuality the petitioner shall have to apply for bail afresh before the trial Court.
- c. He shall not leave the country without the previous permission of the Court.

July 8, 2015.
TSG

(SURINDER GUPTA)
JUDGE