

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

CRM-M-43449-2014 (O&M)
Date of decision : 05.01.2015

Khajano Bai

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. Sunil Toni, Advocate for the petitioner.

Ms. Harsimrat Rai, DAG, Punjab,
assisted by ASI Jugraj Singh.

JITENDRA CHAUHAN, J.

The instant petition has been preferred under Section 439 Cr.P.C. seeking regular bail in case FIR No.238 dated 13.11.2014, registered under Sections 363, 366-A of the Indian Penal Code, registered at Police Station Sadar Fazilka.

The learned counsel for the petitioner contends that son of the petitioner, Rinku, solemnized marriage with the daughter of the complainant. Rinku along with his wife approached this Court by filing petition under Section 482 Cr.P.C., for issuance of direction to protect their life and liberty. They are still residing happily in the

matrimonial home. The petitioner has no role in the alleged kidnapping of the daughter of the complainant.

On the other hand, the learned State counsel has vehemently opposed the present petitioner. She further informs that the challan is yet to be presented.

Heard.

The daughter of the complainant approached this Court and has sworn an affidavit that she being major, has solemnized married with Rinku. The petitioner is in custody since 17.11.2014. The challan has not yet been filed, therefore, the trial is not likely to be concluded in the near future.

Keeping in view the totality of circumstances, without advertent to the merits of the instant case, this petition is allowed. The petitioner be admitted to bail during the pendency of the trial, subject to her furnishing bail bonds and surety, to the satisfaction of the Illaqa Magistrate/Duty Magistrate.

05.01.2015
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(JITENDRA CHAUHAN)
JUDGE