

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Crl. Misc.-M No.949 of 2016(O&M)
Date of Decision:27.01.2016

Kamlesh Rani

...Petitioner

Versus

State of Punjab

...Respondent

with

Crl. Misc.-M No.1547 of 2016 (O&M)

Puja

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MRS. JUSTICE ANITA CHAUDHRY

Present: Mr. P.P.S. Duggal, Advocate
for petitioner in CRM-M-949-2016.

Mr. Mandeep Singh Sodhi, Advocate
for petitioner in CRM-M-1547-2016.

Ms. Harsimrat Rai, D.A.G. Punjab,
counsel for the respondent-State.

ANITA CHAUDHRY, J.

1. By this order, I propose to take up two petitions
seeking regular bail in FIR No. 122 dated 19.08.2015,

registered under Sections 363, 366-A, 376, 120-B IPC and Section 4 of the Protection of Children from Sexual Offence Act, Police Station Kulgarhi, District Ferozepur.

Heard.

The counsel for the petitioners contends that the petitioners had instigated the boy and on their instigation Vijay had abducted the daughter of the complainant. It is stated that both the petitioners are neighbours and the girl ran away from the house on 13.08.2015 and Vijay has been arrested, challan has been presented and charge has been framed. The counsel also refers to the statement made by the prosecutrix under Section 164 Cr.P.C. He urges that the girl had left home on her own and it was not a case of kidnapping and the girl was over 16 years of age.

The victim was recovered after one month of the incident. The girl had made a statement that she had gone on her own. The allegations against the petitioners are of conspiracy. The trial will take long time to conclude. Without commenting upon the merits of the case, the petitions are allowed and the petitioners are directed to be released on regular bail on execution of adequate personal and surety bonds to the satisfaction of trial Court.

Before parting, it is necessary to direct the Registry to call for a report with respect to the statement recorded under Section 164 Cr.P.C. on 14.09.2015 in FIR No.

122 dated 19.08.2015, registered at Police Station Kulgarhi.

The Session Judge, Ferozepur would take a report from the Court concerned and as to who actually had recorded the statement of the prosecutrix. A photocopy of the statement be also sent.

(ANITA CHAUDHRY)
JUDGE

27.01.2016

'Sunil'