

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

CRM -M-10491 of 2017 (O&M)

Date of decision: 19.07.2017

Virpal Kaur @ Veerpal Kaur

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. J.R. Mittal, Sr. Advocate with
Mr. Surinder Garg, Advocate for the petitioner.

Mr. A.S. Gill, Sr. DAG, Punjab.

Jitendra Chauhan, J. (Oral)

By filing the present petition, under Section 439 of the Code of Criminal Procedure, the petitioner has sought regular bail in FIR No. 16 dated 19.01.2017, registered under Sections 363 and 366-A of IPC, at Police Station Raman, District Bathinda.

It is contended that in view of the allegations, Section 366-A of IPC is not attracted whereas Section 363 of IPC is a bailable offence. The allegations against the petitioner is that she removed both the prosecutrix from the school, whereas the prosecutrix were allowed to leave the school on the application moved by father of one of the prosecutrix to the school authorities. Even both the prosecutrix have not been cited as witnesses in the challan. The challan stands presented. The petitioner is in custody since 07.02.2017.

On the other hand, the learned State counsel opposes the bail application, however, he fairly admits that both the prosecutrix have not been cited as witnesses in the final police report.

Heard.

Considering the above and the fact that the challan stands presented, without adverting to the merits of the instant case, this petition is allowed. The petitioner be admitted to bail during the pendency of trial, on her furnishing bail bonds and surety bonds to the satisfaction of the trial Court.

Anything said herein above shall not be construed as an expression of opinion on the merits of the case.

19.07.2017

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(JITENDRA CHAUHAN)
JUDGE

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