

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

**Crl. Misc. No.M-16845 of 2017 (O&M)
Date of Decision: May 30, 2017**

Chhinder Kaur

.....PETITIONER(s).

VERSUS

State of Punjab

....RESPONDENT(s).

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Kulbir Singh Sekhon, Advocate
for the petitioner (s).

Ms. Bhavna Gupta, D.A.G., Punjab.

SURINDER GUPTA, J.(Oral)

The present petition has been filed under Section 438 Code of Criminal Procedure for grant of anticipatory bail to the petitioner in case FIR No.45 dated 14.04.2017 registered for the offences punishable under Section 364 read with Section 34 of Indian Penal Code and Sections 3 and 4 of the Punjab Human Trafficking Act, 2008, at Police Station Sadar Jalalabad, District Fazilka.

Heard.

FIR was registered on the complaint of Nathu Ram, who was living in the cottage by the side of bridge of Gang canal in the area of Jalalabad because of the wheat harvesting season. On the day of occurrence, his wife was feeding their son aged seven months when Kalu Singh, Ranjit Singh and Nikka Singh came there on motorcycle and

kidnapped their minor child.

Learned State counsel submits that two out of three named persons were apprehended by the villagers and the child was recovered. On investigation, police found active role of the petitioner, who was constantly in touch with them on mobile and guiding them. There appears to be a gang which used to kidnap young children and further sell them. Custodial interrogation of the petitioner is required in this case.

Learned counsel for the petitioner submits that there is no evidence of involvement of petitioner, who is an *Asha-Worker*. Her job is to help and assist the pregnant ladies.

Keeping in view the nature of offence and the submissions of learned State counsel, I find that it is not a fit case where the discretionary power of this Court is to be used to extend the benefit of pre-arrest bail to the petitioner. Her custodial interrogation will help the police in properly investigating the case.

This petition has no merits. Dismissed.

May 30, 2017
Sachin M.

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No