

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

**CRM No.M-17437 of 2017
Decided on: 22.05.2017**

Aman Kaur

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MRS JUSTICE REKHA MITTAL

Present : Mr. Sanjeet Singh Taank, Advocate for the petitioner.

Mr. Ankur Jain, AAG, Punjab.

REKHA MITTAL, J. (Oral)

The petitioner prays for grant of regular bail under Section 439 of the Code of Criminal Procedure (in short 'Cr.P.C.') in FIR No.0078 dated 19.04.2017, for offence punishable under Sections 363, 366-A, 380, 120-B of the Indian Penal Code, 1860 (in short 'IPC') and 5 of the Protection of Children from Sexual Offences Act, 2012 registered in Police Station Cantonment, District Amritsar.

Counsel for the petitioner would contend that the alleged kidnapped girl Harmandeep Kaur has performed marriage with Kuldeep Singh, brother of the petitioner and both of them filed a petition i.e. CRM-M No.13612 of 2017 seeking protection to their life and liberty that came to be decided by this Court vide order dated 21.04.2017 (Annexure P3). It is further submitted that the alleged kidnapped girl is residing with her husband and leading a blissful married life. The petitioner has already been remanded to judicial custody and is no longer required for the purpose of investigation. She is ready to face the proceedings, in accordance with law.

Counsel representing State of Punjab would submit that the girl is less than 17 years of age and she has not come forward to record her statement before the investigating agency.

Counsel for the State has nothing to say with regard to the petition for protection filed by Kuldeep Singh and the alleged kidnapped girl decided on 21.04.2017. The petitioner has already been remanded to judicial custody, therefore, no longer required for the purpose of investigation. One girl who appeared before the Court stated herself to be Harmandeep Kaur and conceded the factum of marriage between her and Kuldeep Singh. Presentation of challan and thereafter conclusion of trial is likely to take its own time.

Without meaning to express any opinion on merits of the controversy, bail to the petitioner subject to satisfaction of the trial Court. However, she shall remain bound by the following conditions:-

(i) She shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him/her from disclosing such facts to the Court or to any police officer; and

(ii) She shall not leave India without the previous permission of the Court.

22.05.2017
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(REKHA MITTAL)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable:

Yes/No