

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

**CRM No. M-181-2017**

**Date of decision: 17.01.2017**

**Sarabjit Kaur**

**..... Petitioner.**

**Versus**

**State of Punjab**

**..... Respondent.**

**CORAM: HON'BLE MS. JUSTICE LISA GILL**

Present: Mr. Yogesh Goel, Advocate, for the petitioner.

Mr. Gurjinderjit Singh, DAG, Punjab assisted by  
ASI Sukhwinder Singh, Police Station Division No. 7,  
Ludhiana.

Mr. Saurabh Kapoor, Advocate, for  
Mr. Deepak Goyal, Advocate for Smt. Amisha

**LISA GILL, J.**

The petitioner prays for bail pending trial in FIR No. 259 dated 22.11.2016 registered under Sections 363,366,366-A and 120-B of the Indian Penal Code (for short 'IPC') at Police Station Division No.7 (Vardhman) District Ludhiana City.

Learned counsel for the State has filed affidavit of Smt. Damanjit Kaur Walia, Superintendent, Women Jail Ludhiana, Prison giving detail of custody undergone by the petitioner-Sarabjit Kaur. The same is taken on record subject to just exceptions.

The present FIR was registered on the statement of the complainant Roop Chand, alleging that his daughter namely, Amisha has been allured by by Devinder Singh @ Deepu in order to marry her. He has committed this act at the instance of the present petitioner, who is the mother of Devinder Singh @ Deepu.

Learned counsel for the petitioner submits that initially the petitioner was not even aware of the whereabouts of her son and the

daughter of the complainant. She had no clue about the action taken by both of them. She is falsely implicated being the mother of Devinder Singh @ Deepu.

The complainant's daughter namely, Amisha appeared before this court on 13.01.2017 along with her counsel, who duly identified her. She stated before this Court that she solemnized marriage with Devinder Singh @ Deepu on 18.11.2016 at a temple in Ludhiana. Thereafter, both of them had gone towards Pathankot side and had stayed there. She further stated that though she is not yet 18 years of age, her date of birth being 21.11.1999 she accompanied Devinder Singh @ Deepu out of her own free will and volition, without any kind of pressure, coercion or threat. She further stated that she wishes to cohabit and live with Devinder Singh @ Deepu. The petitioner has nothing to do with the decision taken by both of them.

Learned counsel for the State was afforded time to verify these facts.

Today complainant's daughter namely, Amisha is present in Court and has reiterated her stand. She has also interacted with the complainant i.e. her father. The alleged victim has stated that she does not wish to accompany her father.

These facts have been duly verified and affirmed by ASI Sukhwinder Singh, who is present in Court.

Keeping in view the facts and circumstances noted above as well as the fact that the petitioner is in custody since 22.11.2016, no useful purpose would be served by keeping her in custody any longer. No recovery is to be effected from her. Without expressing any opinion on the merits of case, it is considered just and expedient to allow this petition

Consequently, the petitioner shall be released on bail in case FIR No. 259 dated 22.11.2016 registered under Sections 363,366,366-A and 120-B IPCat Police Station Division No.7 (Vardhman) District Ludhiana City pending trial subject to his furnishing requisite bail bonds and surety bonds to the satisfaction of learned trial Court.

**(LISA GILL)**  
**JUDGE**

**17.01.2017**  
*PA*

*Whether speaking/reasoned* : *Yes/No.*

*Whether reportable* : *Yes/No.*