

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M No. 33242 of 2017 (O&M)

Date of decision : 7.12.2017

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Veera

.....Petitioners

vs.

State of Punjab

.....Respondent

Coram: Hon'ble Mr. Justice H. S. Madaan

Present: Mr. Ankit Kharbanda, Advocate for the petitioner

Ms. Samina Dhir, Deputy Advocate General,
Punjab.

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H. S. Madaan, J.

Status report filed by the State counsel.

This application for regular bail has been filed by Veera, an accused in FIR No. 61 dated 4.7.2016 for offences under Sections 369, 370 IPC registered with Police Station Ramdas, District Amritsar Rural.

Briefly stated, facts of the case as per prosecution story are that complainant Balwinder Singh s/o Chain Singh, resident of Kot Maulvi Dera Baba Nanak, Batala, had submitted a written complaint to SHO Police Station, Ramdas, contending therein that he and his wife Gurmeet Kaur were having five children namely, Balbir

Kaur, daughter aged 13 years, Bachiter Singh, son aged about 11 years, Baaj Singh, son aged 8 years, Jarnail Singh, son aged 3 years and Fateh Singh, son aged 8 months; that his wife Gurmeet Kaur is a simpleton; that on 2.7.2016, Gurmeet Kaur had gone to Ramdas along with two children i.e. Baaj Singh and Fateh Singh for purchasing some medicines; that she had not returned at night; that he went to bus stop Ramdas in search of her, where he came across Gurmeet Kaur, who was having minor injuries; that Gurmeet Kaur told him that on the previous night Maninderjeet Singh @ Mani son of Surinder Singh caste Jatt, resident of Ward No. 3, son of Manjit Kaur, Manjit Kaur wife of Surinder Singh had snatched her above mentioned two minor sons from her and went away giving beatings to her; that she had informed her brother Palwinder Singh, who had got her treated from civil hospital. They searched for the two minor children but could not find them. In that way the said two children had been abducted by Manjit Kaur and Maninderjeet Singh @Mani.

During the course of investigation accused - petitioner was nominated as a culprit, for the reason that she had handed over child Fateh Singh to the police and was involved in the incident of kidnapping of two minor children and eliminating one of them i.e. Baaj Singh. She was accordingly arrested in this case. She had filed an application for regular bail in the Court of Sessions, which was however dismissed by the Additional Sessions judge, Amritsar vide order dated 27.4.2017, rejecting the argument that she is not named in the FIR, rather she is a religious type lady and was Head Sewadar of Darbar Baba Bulle Shah Ji, Dera Baba Nanak, which is visited by

many people and some unknown persons had kept the minor child there and informed the police; that she had no connection with kidnapping of minor Fateh Singh and committing murder of Baaj Singh; that she is in custody since 27.9.2016, as such be released on bail.

Learned Additional Sessions Judge, Amritsar, had found merit in the argument advanced by learned State counsel that if the petitioner was innocent, on finding of the child she should have immediately informed the police or at least got an announcement made on public announcement system in the Dera but she did not do so. The allegations against her are indeed very grave and serious of being involved in the incident of kidnapping of two minors and killing one of them. The facts and circumstances of the case do not make out a case for grant of regular bail to the petitioner, since, as argued by the State counsel, there are reasonable chances of her absconding and tampering with the prosecution evidence, if released on bail.

Therefore the application for grant of bail stands dismissed. However, while parting with the judgment, the trial Court is directed to expedite the trial, by giving short adjournments and earnest efforts be made to conclude the trial, preferably within a period of six months from the date of receipt of a copy of order there.

(**H.S. Madaan**)
Judge

7.12.2017

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Whether speaking / reasoned	Yes / No
Whether reportable	Yes / No