

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

CRM-M-16364-2018 (O&M)

Date of Decision: 18.05.2018

Mamta

....Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MRS. JUSTICE ANITA CHAUDHRY

Present: Mr. Rajnish Gupta, Advocate
for the petitioner(s).

Ms. Mahima Yashpal, A.A.G., Haryana
assisted by SI Balbeer.

ANITA CHAUDHRY, J

CRM-18577-2018

Application is allowed as prayed for and Annexure P-7 is taken
on record.

CRM-M-16364-2018

The petitioner is seeking regular bail in FIR No.63 dated
30.10.2017, registered under Sections 344, 365, 376(2)(n), 370, 313, 323,
328, 354-A, 354C, 506, 120-B of IPC and Section 5 of Immoral Trafficking
Act at Police Station Women Kaithal, District Kaithal.

Learned counsel for the petitioner contends that the petitioner is
the mother of Abhishek and the allegations levelled were that Abhishek had
kidnapped the prosecutrix and had confined her in his home and the
allegations subsequently levelled by the victim were that she was forced
into prostitution. Counsel urges that victim is habitual of lodging complaints

and in 2014 she had lodged and FIR and had made allegations of rape and the copy of the FIR is available on record. Counsel states that they had taken this information under the RTI Act and refers to (Annexure P-4/T (colly). Counsel further states that they have placed on record the photographs to show that she had married Abhisek and the photographs are proof of marriage.

Copy of the statement made by the victim has been placed on record along with the MLR.

In the MLR, there is no reference to any allegation of immoral trafficking and the only allegation are of rape against Abhishek. The victim had been taken to a hospital where she is shown as wife of Abhishek earlier.

The petitioner is in custody since 23.11.2017.

The trial would take time. Without commenting anything on the merits of the case, the petition is allowed. The petitioner is ordered to be released on bail on his furnishing surety and adequate bonds to the satisfaction of the trial Court/Duty Magistrate with a rider that she would not contact the victim or her family in any manner.

May 18, 2018
ps-I

(ANITA CHAUDHRY)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No