

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-16924 of 2017 (O&M)

Date of Decision:15.02.2018

Kulwinder Kaur

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM : HON'BLE MRS. JUSTICE LISA GILL

Present: Mr.J.S.Moudgill, Advocate
for the petitioner.

Ms. Monika Jalota, DAG., Punjab.

LISA GILL, J(Oral).

Petitioner seeks the concession of anticipatory bail in FIR No.170 dated 01.09.2016, under Sections 363, 366-A IPC and Section 4 of the Protection of Children from Sexual Offences Act 2012, registered at Police Station Patran, District Patiala.

It is submitted that the petitioner who is a young girl aged about nineteen years has not been named in the FIR. The petitioner is sought to be inculpated on a supplementary statement of the complainant (father of the alleged victim), wherein it is stated that the petitioner's brother in connivance with her and others allured the complainant's daughter. It is further informed that two of the co-accused in this case have been acquitted by the learned trial Court on 25.01.2018. Similar allegations had been levelled against the said co-accused. Moreover, the petitioner has joined investigation and she undertakes to face the proceedings. It is thus prayed that this petition be allowed.

Learned counsel for the State, on instructions from ASI

Balwinder Singh, verifies that the petitioner has joined investigation and her custodial interrogation is not required. The victim in this case has not been traced out till date.

Keeping in view the facts and circumstances of the case, but without commenting upon or expressing any opinion on the merits of the case, this petition is allowed. Consequently, order dated 12.05.2017, is made absolute.

Before parting with the order, it is necessary to note that specific directions had been issued in this case to the Senior Superintendent of Police, Patiala to oversee operations for tracing out the victim in this case, who is missing till date.

Status report by way of affidavit dated 15.02.2018 by Davinder Kumar, PPS, Deputy Superintendent of Police, Circle, Patran, District Patiala, filed in Court today is taken on record subject to just exceptions. It is informed that on the basis of certain bank transactions of accused-Jagjit Singh @ Sonu, it is suspected that the said accused alongwith the victim may be at Nanded Sahib. Steps have been taken for conducting investigation in this regard. It is assured that sincere efforts are being made to trace out the victim.

Let a status report in this regard be filed on or before 02.05.2018. File be put up for the said limited purpose.

15.02.2018
s.khan

[LISA GILL]
Judge

Whether speaking/reasoned : Yes/No

Whether reportable: Yes/No