

CRM-M-25598-2018

Date of Decision : 03.12.2018

Sukhwinder Kaur

.....Petitioner

versus

State of Punjab

....Respondent

CORAM : HON'BLE MR. JUSTICE FATEH DEEP SINGH**Present:** Mr. Ashish Aggarwal, Advocate
for the petitioner.Mr. Saurav Khurana, DAG, Punjab
for the respondent-State.**FATEH DEEP SINGH, J. (ORAL)**

The allegations in this first anticipatory bail application under Section 438 Cr.P.C. against petitioner-Sukhwinder Kaur are that the petitioner's son-Mandeep Singh aged around 21 years has eloped with daughter of complainant-Kulwinder Kaur, aged around 16 years, leading to the registration of the present case.

Learned counsel for the petitioner submits that no specific role is attributed to the petitioner in the commission of the offences and that it was a pure infatuation of the couple in which petitioner cannot be held responsible.

Learned State counsel, on instructions from ASI Mukhtiar Singh, Police Station Sadar Tarn Taran has sought to oppose the grant of

bail on the ground that being a serious offence and that couple has since been untraced, therefore custodial interrogation of the petitioner is necessary.

Going through the submissions, it is the own stand of the State that there is no specific role attributed to the petitioner in the commission of offence and being a pure case of elopement by two persons in a relationship, the petitioner happens to be the mother of the boy cannot be attributed any specific role and since, nothing is to be recovered from her, it would be traversity of justice by sending the petitioner behind the bars.

In the light of the statement made by learned State counsel, the interim bail granted to the petitioner vide order dated 12.06.2018 is made absolute till submission of report under Section 173 Cr.P.C (challan). Thereafter, petitioner will be permitted to furnish regular bail bonds to the satisfaction of the trial Court. The petitioner shall abide by the conditions laid down in Section 438 (2) Cr.P.C.

With these observations, the present petition stands disposed off.

03.12.2018
Neha

(FATEH DEEP SINGH)
JUDGE

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No