

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Criminal Misc. No. M-48295 of 2018
Date of decision : November 12, 2018

Rani

....Petitioner

versus

State of Punjab

....Respondent

Coram: Hon'ble Mr. Justice Fateh Deep Singh

Present : Mr. Bikramjeet Singh Jatana, Advocate, for the petitioner
Mr. C.L.Pawar, Sr. DAG, Punjab for the State

Fateh Deep Singh, J. (Oral)

The allegations against petitioner Rani in this regular bail application under Section 439 Cr.P.C. moved in FIR No. 90 dated 24.6.2018, under Sections 363, 366-A IPC and subsequently added Sections 376, 506, 120-B IPC and Sections 3 and 4 of the Prevention of Children from Sexual Offences Act, 2012, Police Station Sadar Mansa, as brought to the notice of this Court are that on 23.6.2018, Diwan Ram also referred to as Diwan Singh, aged around 25 years, enticed and abducted minor daughter of the complainant Ram Singh, for the purpose of marriage, leading to the

registration of the FIR and arrest of petitioner Rani mother of the boy on 27.7.2018.

Mr. Jatana, counsel for the petitioner submits that there is no role attributed to the petitioner in the FIR and that it was the own act of the boy and the girl in running away from their homes who are neighbours and therefore, no allegation of abetment by the mother is made out and she is behind the bars since long time.

On behalf of the State, on instructions from ASI Gurdarshan Singh, Police Station Mansa has sought to oppose the grant of bail on the grounds that the girl happens to be minor and the medical evidence shows that there has been physical relations between the girl and the boy after they eloped and therefore, in view of the seriousness of the offence does not entitle the petitioner to any relief.

Appreciating the submissions, a bare perusal of the FIR does not depict any role to the petitioner in the commission of the offence. The petitioner is behind the bars since 27.7.2018 and that the investigations and the trial are not likely to be concluded in the near future and the culpability, if any, shall be determined at the time of trial. Accordingly, she is ordered to be released on regular bail to the satisfaction of learned Chief Judicial Magistrate/Duty Magistrate, Mansa.

The present petition stands disposed off accordingly.

The observations made herein above shall not be binding on the trial court at the time of trial as these are purely for the disposal of the present bail application.

November 12, 2018
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(Fateh Deep Singh)
Judge

<i>Whether speaking/reasoned ?</i>	<i>Yes/No</i>
<i>Whether Reportable ?</i>	<i>Yes/No</i>