

220.

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

CRM-M-10337-2019

Date of decision:12.03.2019

LAKSHMI

... Petitioner

versus

STATE OF PUNJAB

.... Respondent

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr. Vikas Gupta, Advocate,
for the petitioner.

Ms. Jaspreet Kaur, AAG, Punjab.

Mr. Raman Goklaney, Advocate,
for the complainant.

HARI PAL VERMA, J. (Oral)

Petitioner-Lakshmi, aged about 44 years, has filed the present petition under Section 439 Cr.P.C. for grant of regular bail in case FIR No.11 dated 20.01.2019 registered under Sections 363/366-A/120-B of IPC and Section 17 of Protection of Children from Sexual Offences Act, 2012 (added lateron) at Police Station City Patti, Tarn Taran.

Petitioner is mother of Rohan, who allegedly enticed the daughter of the complainant Divya, aged about 16 years.

Counsel for the petitioner has argued that the petitioner is in custody since 23.01.2019. The moment petitioner came to know that her son Rohan is in friendship with the daughter of the complainant, she sent her son to abroad i.e. Malaysia in November, 2018. He returned from Malaysia on 19.01.2019 and instead of coming to her, he straightaway contacted the

daughter of the complainant. Since he has been arrested in the case, he is in custody.

Memorandum of appearance filed on behalf of complainant in court today, is taken on record. Learned counsel for the complainant has argued that the petitioner is instrumental in enticing the daughter of the complainant and, therefore, she is not entitled for bail.

Having heard learned counsel for the parties, this Court finds that the petitioner deserves to be admitted on bail for the reason that there is no specific allegation against the petitioner that she was instrumental in enticing the daughter of the complainant in any manner. Even otherwise, this fact is required to be adjudicated during trial. Accordingly, this Court finds that the petitioner deserves to be admitted on bail.

Accordingly, present petition is allowed and the petitioner is admitted on regular bail subject to her furnishing bail bonds/surety bonds to the satisfaction of the trial Court.

(HARI PAL VERMA)
JUDGE

12.03.2019
sanjeev

Whether speaking/reasoned
Whether Reportable:

Yes/No.
Yes/No.