

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

CRM-M-36499-2018

Date of decision: February 25, 2019

Najma

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Mr. Rahul Rana, Advocate for
Mr. J.S. Jaidka, Advocate
for the petitioner.

Mr. V.G. Jauhar, Senior DAG, Punjab.

RAJ SHEKHAR ATTRI, J.(ORAL)

The present petition has been filed under Section 439 Criminal Procedure Code for grant of regular bail to petitioner-Najma, in case FIR No.121 dated 21.05.2018 registered for the offences punishable under Section 363, 366-A, 34 of the Indian Penal Code, 1860 (for short 'IPC'), at Police Station Meharban, District Ludhiana.

The allegations levelled against the petitioner and her husband are that they kidnapped the minor girl with intent to sell her. However, girl has already been recovered. Challan has been submitted.

It is specifically argued that the petitioner has two years old daughter who is living without mother and nobody is there to look-after her.

Keeping in view the humanitarian grounds and without expressing any opinion on merits of the case, this court is of the view that the petitioner is entitled for grant of regular bail. Accordingly, the present petition is allowed and petitioner is ordered to be released on regular bail on furnishing bail bond and surety bond to the satisfaction of trial

Court/Chief Judicial Magistrate/Duty Magistrate, concerned subject to following terms:-

- (a) The petitioner shall comply with the conditions mentioned in Section 437(3) Cr.P.C.
- (b) In the event of her absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn. The trial court shall be competent to cancel her bail bond and surety bond and proceed to procure her presence in accordance with law. In that eventuality the petitioner shall have to apply for bail afresh.
- (c) She shall not leave the country without the previous permission of the court.

(RAJ SHEKHAR ATTRI)
JUDGE

February 25, 2019
m. sharma

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No