

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

220

CRM-M-20041-2019

Date of Decision:08.05.2019

Sukhwinder Kaur

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR.JUSTICE HARI PAL VERMA.

**Present: Mr. Sarabjit Singh Grewal, Advocate,
for the petitioner.**

Mr. Jagmohan Ghumman, D.A.G., Punjab.

HARI PAL VERMA, J.(Oral)

Prayer in this petition filed under Section 439 Cr.P.C. is for grant of regular bail to the petitioner in FIR No.41 dated 23.03.2019 under Sections 363, 366-A, 120-B IPC, registered at Police Station Sadar Sangrur.

Learned counsel for the petitioner has argued that the petitioner is mother of Atma Singh @ Pawan. The allegation against the petitioner is that her son Atma Singh @ Pawan has enticed away the daughter of the complainant on the pretext of marrying her and the petitioner facilitated/helped Atma Singh @ Pawan in enticing away the prosecutrix. He has further argued that Baljit Kaur @ Monu, who has gone with Atma Singh @ Pawan has given an affidavit that she is living with Atma Singh @ Pawan and the petitioner has no concern with the case in any manner as she has gone with Atma Singh @ Pawan at her own sweet will. He has submitted that the petitioner is in custody since 05.04.2019 and trial in the

case will take sufficient long time.

Learned State Counsel, on instructions from ASI Sohan Lal, submits that whereabouts of the prosecutrix are still not known and efforts are being made to locate her. The prosecutrix is about 17 years old as she was born on 05.02.2002, whereas she was enticed away on 12.03.2019.

Heard learned counsel for the parties.

This Court finds that the petitioner is in custody since 05.04.2019. At the most, allegation against the petitioner is that she has helped her son in enticing away the prosecutrix, but this fact needs to be proved during the course of trial. Moreover, there is an affidavit filed by Baljit Kaur @ Monu that she has gone with Atma Singh @ Pawan at her own and the petitioner has no concern in whatsoever manner.

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

However, it is made clear that the observations made hereinabove shall not be construed as an expression on the merits of the case. The trial Court shall proceed with the trial independently without being influenced by the order of bail passed by this Court.

It is made clear that the petitioner shall not extend any threat and shall not try to influence any prosecution witnesses directly or indirectly in any manner.

May 08, 2019
seema

(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No