

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH

CRM-M-31557-2019

Date of Decision: September 04, 2019

Jaswinder Kaur

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr. J.K. Singla, Advocate,
for the petitioner.

Mr. Saurav Khurana, DAG, 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 case FIR No. 21, dated 04.03.2019, under Sections 363, 366 IPC (Section 366-A IPC was added later on after deleting offence under Section 366 IPC vide rapat No. 27 dated 21.03.2019), registered at Police Station City Rampura, District Bathinda.

The FIR was registered on the statement of Kuldeep Singh with the averment that his elder daughter Simran, who was born on 01.07.2002, was enticed away by some unknown person by alluring her on the pretext of solemnizing marriage with her at the instance of the petitioner.

Learned counsel has argued that the victim is already staying with her aunt i.e. massi. The fact as to whether the petitioner had any role to play in the case is yet to be established during the trial. She is in custody

since 21.03.2019 and the trial in this case is not likely to be concluded in the near future, as no prosecution witness has yet been examined in the case.

Learned State counsel does not dispute the custody. He submits that challan in this case has been presented and charges are yet to be framed.

Heard learned counsel for the parties.

Since the petitioner is in custody from 21.03.2019 and the trial in this case is not likely to be concluded in the near future, as no prosecution witness has been examined, this Court finds that the culpability of the petitioner is yet to be established during the trial.

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.

September 04, 2019
vkd

(Hari Pal Verma)
Judge

Whether speaking / reasoned : Yes / No

Whether reportable : Yes / No