

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

(1) CRM-M-32165 of 2019.
Decided on:- September 17, 2019.

Amandeep Kaur.

.....Petitioner.

Versus

State of Punjab.

.....Respondent.

(2) CRM-M-35515 of 2019.

Sandeep Singh.

.....Petitioner.

Versus

State of Punjab.

.....Respondent.

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

Present:- Mr. P.K.S. Phoolka, Advocate
for the petitioner(s).

Mr. Saurav Khurana, D.A.G., Punjab.

HARI PAL VERMA, J. (Oral)

This order shall dispose of the aforesaid two petitions under Section 439 Cr.P.C. for grant of regular bail filed by Amandeep Kaur and her husband Sandeep Singh as the same have arisen from common FIR No.70 dated 12.04.2019 under Sections 363, 366-A, 376 and 120-B IPC and Section 8/11 of the Protection of Children from Sexual Offences Act, 2012 (for short, the POCSO Act) registered at Police Station Sangat Bathinda, District Bathinda.

However, for convenience and clarity, the detailed order is being passed in *CRM-M-32165 of 2019* titled as *Amandeep Kaur Versus State of Punjab*.

Learned counsel for the petitioners has argued that the only allegation against petitioner Amandeep Kaur is that she had asked the victim to contract court marriage with Lajpat Singh resident of their village as he is a good boy. Said Lajpat Singh and the prosecutrix had solemnised marriage with each other and also sought protection from the Punjab State Human Rights Commission and vide order dated 18.04.2019 passed by the Commission, such protection was granted to them. The petitioners are in custody since 14.06.2019.

Learned counsel for the petitioners has further argued that the main accused Lajpat Singh, who allegedly solemnised marriage with the victim is already on bail.

Learned State counsel, on instructions from HC Iqbal Singh, has argued that it is because of the petitioners, the victim had solemnised marriage with Lajpat Singh. Moreover, in order to seek protection from the Commission, the correct documents had not been presented as wrong date of birth of the victim had been projected. Had the petitioners not encouraged the victim to solemnise marriage with Lajpat Singh, she would not have solemnised marriage with him.

I have heard learned counsel for the parties.

The co-accused, namely, Lajpat Singh has already been admitted on bail by this Court vide order dated 16.07.2019 passed in *CRM-M-29039 of*

2019 titled as *Lajpat Singh Versus State of Punjab*. The petitioners are in custody since 14.06.2019 and the trial is not likely to be concluded in near future. Thus, this Court finds that the petitioners deserve to be admitted on bail.

Accordingly, the present petition is allowed and the petitioners are ordered to be released on bail on their furnishing adequate bail and surety bonds to the satisfaction of learned trial Court.

However, it is made clear that in case the petitioners influence the prosecution witnesses in any manner directly or indirectly, the prosecution shall be at liberty to seek cancellation of their bail.

The observations made hereinabove shall not be construed as an expression of opinion on the merits of the case and the trial Court shall decide the case without being influenced with these observations in any manner.

Photocopy of this order be placed on the file of other connected case.

September 17, 2019
Yag Dutt

(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned: Yes

Whether Reportable: No