

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

CRM-M-44101-2019 (O&M)
Date of Decision:- 22.10.2019

Simran ... Petitioner

Versus

State of Punjab ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Madan Sandhu, Advocate for the petitioner.

Ms. Rashmi Attri, AAG, Punjab
assisted by ASI Lakhwinder Singh.

GURVINDER SINGH GILL, J.

1. The petitioner has approached this Court seeking grant of regular bail in a case registered against her vide FIR No.91 dated 26.6.2019 under Sections 363/366-A/120-B IPC at Police Station Anaj Mandi, District Patiala.
2. The FIR was registered at the instance of Usha wherein it has been alleged that her younger daughter, aged about 17 years, had gone to grocery shop on 11.6.2019 but did not return back and although she made efforts for searching her but she could not be traced. It is further alleged that upon enquiries, she has come to know that Jaga had enticed away her daughter while holding out a promise to marry her. It is further the case of prosecution that subsequently, i.e. on 20.7.2019, the complainant got a supplementary statement recorded wherein she stated that upon further enquiries she has now come to know that her daughter had been enticed away by Jagjit Khan and her aunt '*Mami*' Simran. It is further the case of

prosecution that during the course of investigation it had surfaced that Jagjit Khan and complainant's daughter had stayed at the residence of the petitioner on 12.6.2019 for a day and thereafter i.e. after about 15 days, Jagjit Khan had again left complainant's daughter at the residence of Simran for a few days.

3. The learned counsel for the petitioner has submitted that she has falsely been implicated in the present case and that the complainant has been changing her version from time to time and it was after about one month of lodging of the FIR that the petitioner came to be nominated as accused on the basis of supplementary statement. It has, however, been submitted that the only evidence allegedly collected by the police is that Jagjit Khan along with complainant's daughter had resided for a day on 12.6.2019 at the residence of the petitioner and had subsequently also resided for some days.
4. Opposing the petition, the learned State counsel has submitted that since during the course of investigation, definite evidence has been collected against the petitioner, mainly to the effect that she had abetted the abduction of complainant's daughter and also given shelter to the main accused Jagjit Khan, no case for grant of bail is made out. It has, however, been informed that investigation is complete and challan already stands presented. It has also been informed that co-accused Jagjit Khan was released on bail in term of provisions of Section 167(2) Cr.P.C. It has further been informed that the petitioner has been behind bars since last about 2 months and 24 days.
5. Having regard to the aforesaid facts and circumstances and bearing in mind the fact that the petitioner is a lady who has been behind bars since the last

about 2 months and 24 days and challan already stands presented, further detention of the petitioner would not serve any useful purpose.

6. The petition, as such, is accepted and the petitioner is ordered to be released on regular bail on her furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

22.10.2019

kamal

(Gurvinder Singh Gill)
Judge

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No