

CRM-M-48657-2019

Date of Decision ; November 21, 2019

Mamta

...Petitioner

Versus

State of Punjab

...Respondent

CORAM ; HON'BLE MR. JUSTSSICE ARVIND SINGH SNAGWAN

Present : Ms Aashna Gill, Advocate for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

ARVIND SINGH SANGWAN, J (Oral)

This is the first petition filed under Section 439 Cr.P.C. for grant of regular bail in case FIR No. 263 dated 4.10.2019 under Sections 370 and 120-B IPC, registered at Police Station Civil Lines, Patiala.

Counsel for the petitioner submits that as per the allegations in the FIR registered at the instance of complainant-Rakesh Kumar, it is stated that he is working as a labourer and he along with his family had gone to take medicine to Rajindra Hospital, Patiala. It is further stated in the FIR that father of the complainant, namely, Sakai Ram, used to say that he will sell the son of the complainant-Prince for money in order to resolve their financial crisis. On 2.10.2019, Sakai Ram and Krishana, parents of the complainant, took Prince to Rajindra Hospital, Patiala for taking some medicine and later on, Sakai Ram informed complainant that a lady has taken away his son Price by playing fraud and the complainant had a suspicion that his father has sold his son to that lady in the premises of the said hospital.

Counsel for the petitioner further submits that it has come in the statement of the parents of the complainant that the child was handed over to one Saroj Bala in the presence of the petitioner. Counsel for the petitioner further submits that the petitioner is in custody since 4.10.2019 and not involved in any other case and not required for any further investigation. Counsel for the petitioner has also taken the plea that the petitioner is a lady aged about 37 years and she has to look after her family and is carrying pregnancy of 04 months.

Learned State counsel, on instructions from the Investigating Officer and on the basis of the disclosure statement, the petitioner was arrested. Learned State counsel has also stated that during investigation it has come that the child was sold in many hands from one accused to another by taking money.

Without commenting anything on the merits of the case, after hearing counsel for the parties and considering the fact that the petitioner is a lady and she is in judicial custody since 4.10.2019 and she has to look after her family and not required for further investigation and also in view of the fact that she is not involved in any other case, the present petition is allowed and the petitioner and the petitioner is ordered to be released on regular bail, subject to her furnishing bail bonds and two heavy sureties to the satisfaction of the Chief Judicial /Duty Magistrate, concerned.

(ARVIND SINGH SANGWAN)
JUDGE

November 21, 2019
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Whether speaking/reasoned : YES / NO
Whether reportable : YES / NO