

CRM-M-47978-2018

Date of Decision : 25.01.2019

Kamalpreet Kaur

.....Petitioner

versus

State of Punjab

....Respondent

CORAM : HON'BLE MR. JUSTICE FATEH DEEP SINGH**Present:** Mr. G.S. Thind, Advocate
for the petitioner.Mr. A.S. Sandhu, Addl.A.G., Punjab
for the respondent-State.**FATEH DEEP SINGH, J. (ORAL)**

This order shall dispose off first anticipatory bail application under Section 438 Cr.P.C. filed in a case bearing FIR No.0212 dated 29.09.2018 (Annexure P-1) under Sections 376, 354-C and 34 of the Indian Penal Code registered at Police Station Tripuri, District Patiala.

The present case has been got registered by the complainant who is aged around 22 years and is running a business of beauty parlour. It is during the course of events, she came in contact with accused/non-applicant-Jaswinder Singh @ Jassi and Kamalpreet Kaur, who promised to help her being a poor girl and in furtherance of the same, they introduced her to accused/non-applicant-Jaswinder Singh @ Jassi, who misrepresented

that he was a rich transporter and it is alleged that the accused on the pretext of arranging a marriage with him deceived her. It is alleged that accused/non-applicant-Jaswinder Singh @ Jassi who actually happens to be the husband of Manpreet Kaur, dwelt illicit relations with the complainant on the pretext of marriage and during the course of their physical relations, prepared her obscene video/photographs and thereafter, tried to blackmail her into flesh trade to which she refused and as a consequence of it, the accused threatened her with dire consequences and physically gave beatings to her leading to the registration of the present case.

At the very onset, learned counsel for the petitioner contends that there is no specific role attributed to petitioner-Kamalpreet Kaur and the only averment has come about that she introduced the principal accused to the complainant and that nothing is to be recovered from her.

The learned State counsel, on behalf of the State, assisted by ASI Gurpreet Kaur, Police Station Tripuri, Patiala, though does not displace the facts brought to the notice of this Court by counsel for the petitioner but has stoutly opposed the grant of bail in view of the heinousness of the crime and allegations which does not call for any relief.

Going through the contentions of counsel for the petitioner and the fact conceded at the bar by the learned State counsel that there is no specific role attributed to the petitioner in the commission of the offence except that she has been instrumental in introducing the complainant to her co-accused. Thus, nothing is to be recovered and joining of the petitioner in the investigation would suffice the purpose.

In view of the aforesaid, the present petition is allowed. Petitioner would appear before the Investigating Officer within 15 days from today. In the event of arrest, the petitioner shall be released on interim bail to the satisfaction of arresting/investigating officer till submission of report under section 173 Cr.P.C. (challan). The petitioner shall, however, join the investigation as and when called for and shall also abide by the conditions specified under Section 438 (2) Cr.P.C. Thereafter, petitioner will be permitted to furnish regular bail bonds to the satisfaction of the trial Court.

25.01.2019*Neha***(FATEH DEEP SINGH)
JUDGE**

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No