

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

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CRM-M No.12746 of 2020
DATE OF DECISION : 3rd JUNE, 2020

Kanwaljit Kaur

.... Petitioner

Versus

State of Punjab

.... Respondent

CORAM : HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

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In virtual Court

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Present: Mr. Gursharan Singh, Advocate for the petitioner.

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RAJBIR SEHRAWAT, J. (Oral)

The present petition has been filed by the petitioner under Section 439 Cr.P.C. for grant of bail pending trial in case FIR No.67 dated 23.06.2019 registered under Sections 363, 366-A, 328, 372, 373, 376, 506 & 120-B IPC and Section 4 & 6 of POCSO Act, at Police Station Sadar, District Gurdaspur.

It is contended by the counsel for the petitioner that the case against the petitioner has been concocted without any basis. In fact, it is a case of couple performing marriage against the wishes of their respective families. The prosecutrix had performed marriage with the co-accused Manoj. However, thereafter it appears that relations between the two might have gone astray, therefore, the FIR has been lodged. So far as the petitioner is concerned, there are no allegations against her qua any wrong doing with the prosecutrix. Even as per the prosecutrix, the petitioner is alleged to have met the couple in a train. The prosecutrix has even made a statement before the trial court to this effect. The

petitioner is in custody since 30.07.2019. The petitioner is not required for any investigation purposes. Hence, no purpose will be served by keeping her in custody.

Notice of motion.

Mr. H. S. Sullar, DAG Punjab, accepts notice on behalf of the State of Punjab.

Learned State counsel, on instructions from ASI Gurnam Singh, submits that the name of the petitioner has duly surfaced in the case. It is further submitted that, in fact, the petitioner had participated in the entire process of the marriage of the couple. However, it is not disputed that there is no allegation of doing anything wrong by the petitioner; qua the girl. It is also not disputed that the prosecutrix has not levelled any specific allegations of wrong act against the petitioner, as such.

In view the above, but without expressing any further opinion on the merits of the case, the present petition is allowed. The petitioner is ordered to be released on bail pending trial subject to her furnishing bail bonds/surety to the satisfaction of the Trial Court/Duty Magistrate, concerned.

3rd June, 2020
'raj'

(RAJBIR SEHRAWAT)
JUDGE

<i>Whether speaking/reasoned:</i>	<i>Yes</i>	<i>No</i>
<i>Whether Reportable:</i>	<i>Yes</i>	<i>No</i>