

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

Criminal Misc.-M No.16076 of 2020
Date of Decision: September 29, 2020

Mandeep Kaur

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Karanjeet Singh Brar, Advocate,
for the petitioner.

Mr. Ramdeep Partap, DAG, Punjab.

MANOJ BAJAJ, J.

This petition has been filed by the petitioner under Section 438 Code of Criminal Procedure for grant of anticipatory bail in case FIR No.179 dated 04.12.2019, under Sections 3, 5, 6 Immoral Trafficking of Women and Girls (Prevention) Act, 1956 and Section 120-B IPC, 1860, registered at Police Station, Nehianwala, District Bathinda. The petitioner apprehended her arrest at the hands of police in the above FIR.

Learned counsel for the petitioner has invited the attention of the Court to the order dated 22.06.2020, whereby while issuing notice of motion to the respondent-State, the interim protection was extended to the petitioner. The said order reads as under:-

“Learned counsel for the petitioner contends that initially the FIR was registered for the offences punishable under Sections 376 and 506 IPC at the instance of victim-Veerpal Kaur, however, later on the said offences were deleted on 12.05.2020 through General Diary No.032. He submits that the FIR was

lodged after 3 ½ months of the alleged occurrence and the alleged offences punishable under Sections 3, 5 and 6 of Immoral Trafficking of Women and Girls (Prevention) Act, 1956 read with Section 120-B IPC may not be made out against the petitioner. He submits that the petitioner is ready to join the investigation.

Notice of motion for 28.09.2020.

Meanwhile, the petitioner shall join the investigation and would come present as and when called for and in the event of arrest, the petitioner shall be admitted to interim bail on her furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer. The petitioner shall also abide by the conditions as specified under Section 438(2) Cr.P.C.”

Learned counsel for the petitioner further contends that in deference to the said order, the petitioner submitted herself before the police and joined the investigation. According to him, the petitioner cooperated with the police authorities during the investigation and furnished requisite bonds to the satisfaction of the Investigating Officer/Arresting Officer.

Learned State counsel does not dispute this fact that the petitioner has joined the investigation. Learned counsel, on instructions from ASI Swaran Singh, further states that the petitioner is not required for custodial interrogation for the time being.

Considering above, the petition is allowed and the interim bail granted by this Court vide order dated 22.06.2020 is made absolute.

September 29, 2020
ramesh

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether Reportable:

Yes/No
Yes/No

