

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

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CRM-M-35898-2020

Date of decision : 09.11.2020.

Manju Rani

... Petitioner

Versus

State of Punjab

.. Respondent

CORAM :HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present:- Mr. Ashok Kumar Khunger, Advocate for the petitioner.

Mr. Dhruv Dayal, Senior DAG, Punjab.

Anupinder Singh Grewal, J. (Oral)

The petitioner is seeking regular bail in FIR No.94 dated 17.06.2020, under Sections 363, 366-A, 120-B IPC (Section 376 IPC read with Section 4 of the POCSO Act added later on), registered at Police Station Bahaw Wala, district Fazilka.

Learned counsel for the petitioner contends that the FIR is an outcome of a matrimonial dispute between the petitioner and the complainant, who is her husband. It is alleged that the petitioner had conspired with co-accused, namely, Pawan Kumar and Pardish @ Pratish Kumar enticed their minor daughter. The main accused Pawan Kumar has committed suicide while co-accused Pardish @ Pratish Kumar has been granted regular bail by the trial Court. He further contends that the petitioner is in custody for over 04 months and is not involved in any other case.

Learned State counsel has filed custody certificate in Court, which indicates that the petitioner is in custody for 04 months and 16 days as on 07.11.2020. He, upon instructions from ASI Bhupinder Singh, contends that although challan has been filed but charges are yet to be framed.

Heard through video conferencing.

The petitioner is alleged to have enticed her daughter for immoral purpose. It is alleged that the petitioner had accompanied co-accused, namely, Pawan Kumar while their daughter was taken on the motor cycle. Co-accused Pawan Kumar has expired while another co-accused, namely, Pardish @ Pratish Kumar has been granted regular bail by the trial Court. It is also alleged that the accused, in conspiracy with each other, had taken away the minor daughter with intention to solemnize her marriage or to commit rape. The relations between the petitioner and the complainant are allegedly strained. The petitioner, who is a lady, is in custody for over 04 months, she is not involved in any other case, the COVID-19 pandemic and the conclusion of the trial is likely to take some time, I deem it a fit case to grant the concession of regular bail to the petitioner.

Therefore, without expressing any opinion on the merits of the case, the instant petition is allowed. The petitioner is ordered to be released on regular bail on her furnishing requisite bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

(ANUPINDER SINGH GREWAL)
JUDGE

November 09, 2020

sonia gugnani

Whether speaking/reasoned	:	Yes/No
Whether Reportable	:	Yes/No