

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

214

**CRM-M-9276-2021
Date of decision: 17.11.2021**

Kulveer Kaur @ Raman

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

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

Mr. Luvinder Sofat, AAG, Punjab
for the respondent-State.

MANJARI NEHRU KAUL, J. (ORAL)

This is the first petition filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No.237 dated 30.10.2020 lodged under Sections 363, 363-A IPC (Sections 376, 328, 342, 323, 120-B IPC and Section 4 of the POCSO Act were added lateron) registered at Police Station Canal Colony, District Bathinda.

Learned counsel for the petitioner contends that neither was the petitioner named in the FIR in question nor attributed any role. He has submitted that the name of the petitioner was arrayed as an accused subsequently and that too in a hasty manner without their being any material on record to connect her with the crime in question. Learned counsel further contends that as per the MLR of the victim no injuries were noticed during her medico legal examination and in addition, no traces even of the alleged intoxicant administered to her,

were found by the attending doctor. The petitioner has been in custody since 08.11.2020 and her further incarceration will not serve any useful purpose. A prayer has, therefore, been made to extend the concession of regular bail to the petitioner.

Per contra, learned State counsel while opposing the prayer and submissions made by learned counsel for the petitioner, on instructions from ASI Iqbal Singh, has submitted that the petitioner alongwith co-accused Gurwinder Singh enticed away the victim (a student of class 9 and aged 16 years) on the pretext of marriage. Soon thereafter the aunt of the victim, Pinki, lodged a DDR against unknown persons on 29.10.2020. The victim was subsequently recovered on 06.11.2020. Her medical examination was carried out and her statement was recorded under Section 164 Cr.P.C. wherein she spelt out the role of both the petitioner as well as the co-accused Gurwinder Singh in the crime in question. He further submitted that the allegations find corroboration from the medical evidence. Learned State counsel has submitted that since the prosecution evidence has not yet commenced, the petitioner may not be extended the concession of bail as there is every likelihood that she may tamper with the material evidence and try to influence the victim to depose in her favour.

I have heard learned counsel for the parties and perused the material on record.

In view of the facts and circumstances as enumerated hereinabove coupled with serious and specific allegations levelled against the petitioner, this Court does not deem it appropriate to extend the concession of bail to the petitioner.

Dismissed.

However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

17.11.2021

Vinay

(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No