

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

207

CRM-M-17379-2021

Date of Decision: 20.05.2021

Baljit Kaur

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present: Mr. Vikas Gupta, Advocate,
for the petitioner.

Mr. A.P.S. Gill, DAG, Punjab
assisted by SI Baljit Kaur.

(proceedings conducted through video conferencing)

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner has approached this Court seeking grant of regular bail in respect of a case registered against her vide FIR No.141 dated 10.11.2020 at Police Station Khalra, District Tarn Taran under Sections 363/366-A IPC (Sections 376-D/511/120-B/366/342 IPC and Section 8/18 POCSO Act added later on).
2. The FIR in question was lodged at the instance of Jasmail Singh, wherein it has been alleged that on 08.11.2020, the daughter of his brother Shamser Singh, who is aged barely 14/15 years, went missing. The complainant's brother called the complainant and disclosed to him that on 08.11.2020 between 9:00 PM to 12:00 PM, Ranjit Singh @ Rana in connivance with his friend Sajan Singh @ Commando had allured away Sonia on the pretext of marrying her. It is further the case of the prosecution that subsequently when the victim was recovered, she disclosed that on

the day of occurrence, it is the petitioner, who is residing in the neighboring house of the complainant, who had knocked at the door and when the victim opened the door, 4 boys namely Ranjit Singh @ Rana, Sajan Singh @ Commando, Mahabir and Ramandeep Singh were standing there on two motorcycles and that they had abducted her.

3. Learned counsel for the petitioner has submitted that she has falsely been implicated in the instant case on account of there being some dispute between neighbours i.e. between the complainant and the petitioner and that in any case it is not the petitioner, who had abducted the victim. It has further been submitted that the petitioner, who is a lady, has been behind bars since the last about 6 months and that challan already stands presented.
4. Opposing the petition, learned State counsel has submitted that since the name of the petitioner has surfaced in the statement of the victim recorded in terms of Section 164 Cr.P.C. and which shows that the petitioner had played a pivotal role in abduction of the victim, therefore, her complicity is clearly evident and she does not deserve the concession of bail. Learned State counsel has, however, not disputed the fact that the petitioner has been behind bars since the last about 6 months and that challan already stands presented.
5. I have considered rival submissions addressed before this Court.

6. Having regard to the facts and circumstances of the case and while bearing in mind that the petitioner is a lady, who has been behind bars since the last about 6 months and that challan already stands presented, further detention of the petitioner will not serve any useful purpose as the conclusion of trial will take some time. The petition, as such, is accepted and the petitioner is ordered to be released on regular bail on her furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

20.05.2021

VY/Vimal

(GURVINDER SINGH GILL)

JUDGE

Whether speaking/reasoned: **Yes/No**

Whether reportable: **Yes/No**