

209 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-29010-2022
Date of Decision: 29.08.2022

GURMEET KAUR @ MEETO BAI ... PETITIONER
V/S
STATE OF PUNJAB ... RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Ms. Sukhpreet Kaur, Advocate for the petitioner.
Ms. Ruchika Sabherwal, DAG Punjab.

* * *

VIVEK PURI, J. (ORAL)

On 11.07.2022, following order was passed:

“This is a petition for grant of anticipatory bail to the petitioner in case FIR No. 157 dated 25.09.2021 under Sections 376, 506, 120-B and Section 6 of POCSO Act registered at Police Station Sadar, District Ferozepur.

Learned counsel for the petitioner contends that precisely the allegations against the petitioner are to the effect that on her instigation, her son Ravi Singh alias Gurmej Singh had committed rape upon the victim, who is stated to be 15 years old in the FIR. It has been further stated that as per the birth certificate (Annexure P-3), the date of birth of the victim is 8th January 2004. After attaining the age of majority, the victim has solemnized marriage with Ravi Singh alias Gurmej Singh, son of the petitioner on 30th June 2022. Annexure P-4 is the marriage certificate issued by Gurdwara Dashmesh Pita Patshahi Daswi (Regd.) and Annexure P-5 are the photographs depicting the factum of marriage. Even at the earlier instance, the son of the petitioner had filed a complaint against the maternal uncle and others on the allegations that they were trying to forcibly solemnize marriage of the victim with an aged person.

Notice of motion.

Mr. M.S. Nagra, Addl. AG Punjab, who is present in the Court, accepts notice on behalf of respondent No. 1 and seeks adjournment to verify with regard to the fact of marriage of the victim with son of the petitioner.

At his request, adjourned to 29.08.2022.

In the meanwhile, in the event of his arrest, the petitioner shall be released on interim bail to the satisfaction of the Investigating Officer/Arresting Officer subject to the conditions as envisaged under Section 438 (2) of Code of Criminal Procedure.”

Learned counsel for the petitioner contends that the petitioner has joined the investigation in pursuance of the interim directions issued by this Court.

Learned State counsel has not disputed the aforesaid factual aspect and further stated that the custodial interrogation of the petitioner is not required.

Keeping in view the entire circumstances, sufficient exceptional circumstances are made out to extend the concession of pre-arrest bail to the petitioner. The order dated 11.07.2022 is made absolute.

The petition stands allowed.

29.08.2022

Janki

(VIVEK PURI)
JUDGE

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