

210 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-39707-2022

Date of Decision: 15.12.2022

RAJINDER KAUR @ HARJINDER KAUR ... PETITIONER
VS.
STATE OF PUNJAB .. RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present : Mr. Gurmeet Singh Sani, Advocate, for the petitioner.

Mr. Aman Dhir, DAG, Punjab.

VIVEK PURI, J.(ORAL)

On 11.10.2022, the following order was passed:-

“The petitioner is seeking anticipatory bail in case bearing FIR No.0108 dated 08.06.2022 under Sections 363/366-A and 34 IPC registered at Police Station Vairoke, District Fazilka.

Reply has not been filed despite last opportunity.

Learned counsel for the petitioner contends that the FIR has been registered on the allegations that on 02.06.2022, the victim, who is daughter of the complainant, went missing from the house. It has been alleged that the victim had eloped with Kanwal Singh @ Kanwaljeet. The allegations against the petitioner are to the effect that the victim has been enticed away on the allurements to perform her marriage with Kanwal Singh @ Kanwaljeet and petitioner along with her husband, Pala Singh and relative Major Singh have extended helping hand. It has been further submitted that the victim is aged about 15 years and son of the petitioner is aged about 17 years. They had also filed a petition in this Court seeking protection to their life and liberty. Even the petitioner along with her husband has been making strenuous efforts to trace out her son but to no effect. Major Singh (co-accused) has been granted interim bail by this Court. Even the State has not filed the reply despite last opportunity.

Adjourned to 15.12.2022.

In the meanwhile, the petitioner is directed to join investigation and in the event of her arrest, she 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 in pursuance of interim directions issued by this Court, the petitioner has joined the investigation.

Learned State counsel, on instructions from ASI Harbans Singh, has not disputed the aforesaid factual aspect and further submits that custodial interrogation of the petitioner is not required.

Keeping in view the entire circumstances, sufficient grounds are made out to extend the concession of pre-arrest bail to the petitioner. Accordingly, order dated 11.10.2022, vide which the petitioner has been granted interim bail, is made absolute.

Petition is allowed.

15.12.2022
smriti

(VIVEK PURI)
JUDGE

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