

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

CRM-M-52215-2022

Date of Decision: *December 21, 2022*

Suneha

.... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Mr. Inderpreet Singh Kooner, Advocate,
for the petitioner.

Mr. Hittan Nehra, Addl. A.G., Punjab.

Vivek Puri, J.

The petitioner is seeking anticipatory bail in the case bearing FIR No. 152, dated 19.06.2021, under Sections 363, 366-A of the Indian Penal Code (for short 'IPC') (Sections 376, 506 and 120-B IPC and Section 4 of the Protection of Children from Sexual Offences Act added later on), registered at Police Station Sadar Samana. District Patiala.

Briefly, the FIR has been registered on the basis of the statement of the mother of the victim, who is stated to be aged about 15 years, alleging that on 18.06.2021, the victim went missing from the house. The co-accused Jora Singh had been stopping the victim on her way and used to talk to her and asked her to solemnize marriage with him. It

was suspected that Jora Singh, co-accused has kidnapped the victim on the pretext of the marriage.

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

Learned counsel for the petitioner contends that the name of the petitioner has not been mentioned in the FIR and even no role has been attributed to her. The name of the petitioner is, in fact, Sunaina and is not known by the name of Suneha.

On the contrary, learned State counsel has opposed the bail application on the score that the petitioner along with her husband had provided shelter to the victim and co-accused Jora Singh in their residential house for a period of two weeks. Furthermore, there are allegations to the effect that the petitioner along with her husband had sold the victim to Amritpal Singh. During the course of investigation, it has also transpired that the petitioner is known by the name of Sunaina @ Suneha. The investigation of the case qua Jora Singh, co-accused, is complete, challan has been presented and during the course of trial, the victim has also attributed allegations against the petitioner.

It may be mentioned here that the victim is aged about 15 years. The name of the petitioner has emerged in the supplementary statement of the complainant, which has been recorded on 07.07.2021. In her statement recorded

under Section 164 Cr.P.C., the victim has categorically and specifically stated that the petitioner in connivance with her husband had solemnized her marriage with a boy named Amritpal Singh. The allegation with regard to the commission of rape has also been attributed against Manpreet, the husband of the petitioner. Moreover, in her statement recorded during the course of trial against Jora Singh, it has been deposed by the victim that the petitioner along with her husband had taken a sum of Rs. 30,000/- from Amritpal Singh for solemnizing her forcible marriage. The petitioner is evading arrest for a period of about six months and keeping in view the allegations attributed against her, the matter requires thorough probe and investigation. The custodial interrogation of the petitioner appears to be essential for the proper investigation of the case. As such, no extra ordinary circumstances are made out to extend the concession of pre-arrest bail to the petitioner.

Present petition is dismissed, accordingly.

December 21, 2022

vk

(Vivek Puri)
Judge

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