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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-42404-2022

Date of Decision:- 06.01.2023.

RAJ RANI

....Petitioner

Vs.

STATE OF PUNJAB

...Respondent

CORAM:-HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present:- Mr. Rishabh Gupta, Advocate for the petitioner.
Mr. Mohinder Singh Joshi, Additional A.G. Punjab.

AMARJOT BHATTI, J. (Oral)

The petitioner – Raj Rani has filed the instant petition under Section 439 Cr.P.C. for grant of regular bail in FIR No.70, dated 30.05.2022 under Sections 363, 366-A, 120-B, 346 IPC (offence under Section 346 IPC added later-on) registered at Police Station Subhanpur, District Kapurthala, Punjab.

The facts of the case are that the complainant gave her statement to the police that her eldest daughter i.e. victim is aged 17 ½ years old and her date of birth is 02.10.2004. On 28.05.2022, the victim went to Government Senior Secondary School Dayalpur at 07:00 A.M. and at about 10:30 A.M, she received call from the friend of her daughter that the victim did not reached the school. Thereafter, she started looking for her daughter and came to know that one person Pankaj Kumar resident of Village Murar is missing from his house. She went to the house of Pankaj Kumar where his mother Raj Rani met her. She enquired about the

whereabouts of her son and she proclaimed that his daughter has been taken away for performing marriage by her son and she bolted the door of the house. With these allegations, the present FIR has been registered.

Learned counsel for the petitioner argued that Raj Rani is the mother of Pankaj Kumar. No specific role is attributed to her. She is in custody since 05.06.2022. The statement of victim is already recorded in which she has not supported the prosecution version. The petitioner is ready to abide by the terms of the bail order. It is prayed that her regular bail application may be allowed.

Learned counsel representing the State has placed on record the custody certificate, according to which Raj Rani is behind the bars for the last seven months and three days. He has also placed on record copy of the statement of the victim recorded as PW1.

I have considered the arguments advanced before me and I have gone through the record carefully. The FIR was recorded on the statement of mother of the victim where she levelled allegations against Raj Rani, who is mother of Pankaj Kumar, main accused, against whom there are allegations of kidnapping the minor daughter of the complainant. I have gone through the statement of victim recorded as PW1 dated 04.11.2022, where she has not supported the prosecution story and was declared hostile. Even otherwise, there are no direction allegations of kidnapping against the present petitioner. The conclusion of prosecution evidence may taken sometime. Therefore, in my opinion, she cannot be kept behind bar for indefinite time period. Therefore, without expressing my mind on the merits of the case, the regular bail application filed by Raj Rani is allowed.

She is ordered to be released on bail to the satisfaction of trial Court/Duty

Judge.

The petition is disposed of.

06.01.2023

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(AMARJOT BHATTI)
JUDGE

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