

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

209

CRM-M No.13745 of 2024
Date of decision: 03.05.2024

MANDEEP KAUR

.... Petitioner

Versus

STATE OF PUNJAB

.... Respondent

CORAM: HON’BLE MRS. JUSTICE MANISHA BATRA

Present : Mr. Narender Singh Kamboj, Advocate for the petitioner.

Ms. Ruchika Sabherwal, Sr. D.A.G., Punjab.

MANISHA BATRA, J. (oral)

1. Through the instant petition, filed under Section 438 of Code of Criminal Procedure, 1973, the petitioner seeks anticipatory bail in case FIR No.280, dated 23.12.2023, under Sections 363, 366-A and 120-B of IPC at Police Station Jamalpur, District Police Commissioner Ludhiana.
2. Vide order dated 18.03.2024, passed by this Court, the petitioner was released on interim bail and was directed to join investigation. Order dated 18.03.2024, passed by this Court, reads as under:-

“The petitioner is seeking pre arrest bail in case arising out of FIR No.280 dated 23.12.2023, under Sections 363, 366-A and 120 B IPC at Police Station Jamalpur, District Police Commissioner Ludhiana on the basis of statement recorded by the complainant-J(name withheld) alleging therein that the victim who is her younger daughter aged about 17 years and 05 months had been enticed away by the accused [Karamjit@Nikka](#) on 04.12.2023. She also recorded in her statement that the complainant alongwith her daughter used to prepare langar at Dera Dhakki Sahib, Khasi Kalan wherein the present petitioner also used to

visit. The accused–Karamjit Singh @ Nikka is her brother. Her daughter had been enticed away/kidnapped by the brother of the petitioner in pursuance of criminal conspiracy hatched between the petitioner and his brother and it was she who facilitated the kidnapping of victim who is untraceable till now.

It is submitted by learned counsel for the petitioner that she has been falsely implicated in this case. She has no hand in missing of the victim. She also does not know about the whereabouts of the victim as well as her brother. She is ready to join the investigation and her custodial interrogation is not required.

Notice of motion.

On the asking of the Court, Ms. Ruchika Sabherwal, Sr. DAG, Punjab accepts notice on behalf the respondent-State and seeks time to file a reply.

At this stage, on oral request of the learned counsel for the petitioner, the complainant is ordered to be impleaded as respondent no.2. Amended memo of parties be filed.

Adjourned to 03.05.2024.

In the meantime, the petitioner is directed to appear before the Investigating/Arresting Officer to join investigation within one week or as and when subsequently required thereafter. In the event of his arrest, the Investigating/Arresting Officer shall release the petitioner on interim bail on furnishing personal/surety bonds to his/her satisfaction. The petitioner shall also abide by the conditions as envisaged under Section 438(2) Cr.P.C.”

3. Learned counsel for the petitioner has placed on record a copy of order 29.04.2024 passed by co-ordinate Bench of this Court in **CRWP-3810-2024** titled as *Karnamtej Singh and Another vs. State of Punjab and others*, showing that the co-accused who is the brother of the present petitioner and the victim have jointly filed a petition seeking protection of their life and liberty, has been disposed of.

4. Learned State counsel has filed the status report. The same is taken on record. He, on instructions from the Investigating Officer, has submitted that that the petitioner has joined investigation on 23.03.2024 and he is not required for custodial interrogation.

5. Keeping in view the above mentioned facts and circumstances, without commenting on the merits of the case, the present petition is allowed and the order dated 18.03.2024, granting interim bail to the petitioner, is made absolute, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure.

03.05.2024
Jyoti-IV

(MANISHA BATRA)
JUDGE

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