

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

210

CRM-M-52065-2023 (O&M)
Date of decision: 14.03.2024

Amarjit Kaur ...Petitioner

Versus

State of Punjab ...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present:- Mr. A. S. Manaise, Advocate
for the petitioner.

Mr. P. S. Bhandari, AAG, 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. 86, dated 376, 506, 120-B of the IPC and Section 67 of the Information Technology Act at Police Station Women, District Amritsar.
2. Brief facts of the case relevant for the purpose of disposal of the present petition are that the aforementioned FIR was registered on the basis of statement of complainant/victim 'P' (*name withheld*) alleging therein that she was working as Staff Nurse in Shri Guru Ram Dass Hospital, Vallah, Amritsar, where petitioner Amarjit Kaur was also working as a Sweeper. The prosecutrix was in relationship with the son of the petitioner, namely Kanwaljit Singh. On 29.9.2023, her parents got engaged her with someone else and she told Kanwalit Singh that she was not interested in continuing with any relation with him. However, he did not mend his ways and threatened her that if she got married with someone else, he would physically

Neutral Citation No. 2024:PHHC:037939

harm her as well as her family. Her family also tried to stop him from harassing the prosecutrix. One day, the petitioner approached the victim and asked her to perform marriage with her son but she refused. The victim was harassed by Kanwaljit Singh to such extent that she left her job. On 14.9.2023 at about 10:00 AM, she was parking her Activa at Gumtala bye-pass to collect some documents from the hospital. In the meantime, Kanwaljit Singh along with his cousin brother Jagjit Singh @ Jagge came in a car and Kanwaljit Singh asked her to sit in the car, otherwise, he will send their photographs to her in-laws family and he would get her relationship broken. Due to fear, she boarded the car and both of them took her towards Ajnala side. After some distance, Kanwaljit Singh dropped his cousin brother Jagge and asked him to keep attention. Kanwaljit Singh took her to a room of Regenta Hotel, where he ravished her by extending threats that if she resisted, he would send her photographs to her in-laws. He demanded Rs.10,00,000/- from the victim on the pretext of not sending the alleged photographs to her in-laws. He also threatened her to not to disclose the incident to anyone, otherwise he would get her relationship broken and would also kill her brother and parents. She prayed for taking action against the culprits. After registration of the FIR, investigation proceedings have been initiated. The petitioner had filed an application for grant of anticipatory bail before the Additional Sessions Judge, Amritsar but the same had been dismissed, vide order dated 29.09.2023. Therefore, the petitioner has filed the present petition.

2. Vide order dated 13.10.2023, passed by this Court, the petitioner was released on interim bail and was directed to join investigation.

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3. Learned State counsel, in terms of the status report filed today in Court and on instructions from the Investigating Officer, states that the petitioner has joined the investigation and he is not required for custodial interrogation.
4. In view of the said facts, without commenting on the merits of the case, the present petition is allowed and the order dated 13.10.2023, 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.

14.03.2024
Waseem Ansari

(MANISHA BATRA)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No

