

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

CRM-M-59744-2023
Date of Decision: 21.03.2024
2024:PHHC: 041610

BALWINDER KAUR AND ANOTHER

. . . . Petitioners

Vs.

STATE OF PUNJAB

. . . . Respondent

CORAM: HON'BLE MR JUSTICE DEEPAK GUPTA

Present: - Ms. Sheena Khanna, Advocate, for the petitioners.

Mr. Gurpartap Singh Bhullar, AAG, Punjab.

DEEPAK GUPTA, J.

Petitioners pray for their release on regular bail, by way of this petition filed under Section 439 CrPC, in a case arising out of FIR No.56 dated 07.06.2023 registered under Section 363/120-B IPC [Section 370 IPC added later on] at Police Station Satnampura, District Phagwara.

2. Status report by way of affidavit dated 21.03.2024 of Shri Jaspreet Singh, PPS, Deputy Superintendent of Police, Sub-Division Phagwara, on behalf of the respondent-State has been filed today in Court and the same is taken on record.

3. As per prosecution allegations, minor daughter of complainant Manoj had been abducted by one Jass @ Yashpal on 07.06.2023, in connivance with his parents i.e. petitioners Balwinder Kaur and Raj Kumar and brother. FIR was registered. During course of investigation, the minor daughter of the complainant was recovered from the house of the petitioner Raj Kumar. Yashpal @ Jass was also arrested. The victim was subjected to

medical examination. Her statement under Section 164 CrPC was also got recorded.

4. It is contended by Id. counsel that petitioners have been falsely implicated; that they have no role to play in the alleged offence; that they have been implicated simply because they are the parents of main accused- Jass @ Yashpal; that after conclusion of investigation challan has already been filed; that they are in custody for the last more than 9 months; that trial may take time to conclude and so, they be granted bail.

5. Ld. State counsel has opposed the bail petition by submitting that the minor daughter of the complainant was recovered from the house of the petitioners.

6. Petitioners are in custody for the last more than 9 months as per the custody certificate. They are not involved in any other case. It is Jass @ Yashpal, the son of the petitioners, who had allegedly abducted the minor daughter of the petitioners. Trial may take time to conclude.

9. Having regard to all the above facts and circumstances, but without commenting anything further on merits of the case, petition is allowed. Petitioners are admitted to regular bail on their furnishing requisite bail bonds and surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned, observing usual terms and conditions.

21.03.2024

Vivek

(DEEPAK GUPTA)
JUDGE

Whether speaking/reasoned?
Whether reportable?

Yes
No