

CRM-M-62851-2024 (O&M)

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

2024.PHHC.171151



**CRM-M-62851-2024 (O&M)
DATE OF DECISION : 19.12.2024**

KIRANDEEP KAUR @ KIRAN KAUR ... PETITIONER

V/S

STATE OF PUNJAB ... RESPONDENT

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present: Mr. Piyush Setia, Advocate for the petitioner.

Mr. Malkit Singh Dhillon, DAG Punjab.

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HARPREET KAUR JEEWAN, J. (ORAL)

1. The present petition has been filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the petitioner in FIR No.184 dated 27.07.2022 under Sections 363, 366-A and 120-B of the Indian Penal Code, registered at Police Station Lambi, District Sri Muktsar Sahib.

2. Custody certificate dated 18.12.2024 reflecting the custody of the petitioner as 07 months and 24 days has been taken on record.

3. The FIR (Annexure P-1) was registered at the instance of the mother of the prosecutrix with the allegations that on 19.07.2022, she went to the market for bringing medicine and when she came back she was informed by her son that her daughter Hkxxx, who is minor is missing from home. The parents of the victim searched for her but they could not find out

her. Ultimately, they came to know that the minor prosecutrix has been

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enticed away by Deep Singh @ Jhota on the pretext of solemnizing marriage with her. Labhi Singh, co-accused of the petitioner has also connived and assisted the accused. Petitioner is stated to be the maternal aunt of the victim and she is stated to have helped the co-accused in the commission of the offence.

4. Learned counsel for the petitioner contends that the petitioner is in custody for more than 7 months. The prosecutrix was not recovered from her possession.

5. Learned State counsel has opposed the bail application on the ground of gravity of allegations. However, this fact has been confirmed that the investigation of the case is complete and the challan has already been presented in the Court. 3 prosecution witnesses out of 16 have been examined.

6. I have heard the counsel for the parties and perused the paper-book.

7. The petitioner is a female of 47 years of age. She has a fixed place of residence. There is no apprehension of her absconding. The statement of the prosecutrix is stated to have been recorded during the trial. The main accused Deep Singh @ Kamaldeep Singh @ Jhota has already been released on regular bail vide order dated 06.09.2023 passed by the Co-Ordinate Bench of this Court in CRM-M-18748-2023 (Annexure P-2).

8. Therefore, without commenting on the merits of the case and keeping in view the custody period of the petitioner and the fact that material witnesses stand examined; petitioner is a female and the conclusion of the trial is going to take time, the present petition is allowed. The petitioner is ordered to be released on regular bail, subject to her furnishing adequate bail

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bonds and surety bonds to the satisfaction of the trial Court concerned. This is without expression on merits.

9. Pending miscellaneous application(s), if any, shall stand disposed of.

19.12.2024
Janki

(HARPREET KAUR JEEWAN)
JUDGE

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