IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

318 **CRM-M-21087-2025**
Date of decision: 30th April, 2025

Manpreet Kaur

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Parminder Singh Sekhon, Advocate for the petitioner.
Ms. Swati Batra, Assistant Advocate General, Punjab.

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MANISHA BATRA, J (ORAL):-

The present petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') by the petitioner seeking grant of regular bail in case bearing FIR No. 277 dated 31.12.2024 registered under Sections 308(6), 308(2), 319(2) and 61(2) of Bharatiya Nyaya Sanhita, 2023 (for short 'BNS') at Police Station City Sangrur, District Sangrur.

2. Brief facts of the case relevant for the purpose of disposal of this petition are that the aforementioned FIR was registered on the basis of statement recorded by the complainant Manish Kumar alleging that on 23.12.2024, one female while introducing herself as Manpreet Kaur(petitioner) had come to his shop and asked about the whereabouts of his brother Shekhar Goyal. Thereafter, she had left. On 25.12.2024, he received an information from the police that the petitioner was admitted in Civil Hospital, Sangrur and she had levelled allegations regarding

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commission of act of rape upon her by the complainant. In the meanwhile, his brother received *WhatsApp* call on his cell phone and the caller while introducing herself as Paramjit Kaur told his brother that she had got petitioner admitted in hospital and FIR for committing gang rape would be registered against them, if negotiations were not conducted with her. The complainant along with some respectable persons went to the hospital, wherein, Charanjeet Kaur while representing herself to be the mother of the petitioner as well as petitioner met them and demanded a sum of Rs. 7,00,000/- and otherwise threatened to foist a case of gang rape upon them. They also disclosed that the mode of payment would be discussed by their group members in the hospital on the following day and told them to come to the hospital after making arrangement for the money. The complainant alleged that on the next day also, he had gone to the hospital and to save his honor and reputation of the family, he agreed to pay a sum of Rs. 5,00,000/- and an amount of Rs. 2,00,000/- was paid in cash, whereas, Rs. 3,00,000/- were to be given in two installments. He alleged that the petitioner and the co-accused were extending continuous threats to him and prayed for taking action. The aforementioned FIR was accordingly registered. Investigation stands completed.

3. It is argued by learned counsel for the petitioner that she has been falsely implicated in this case. She is in custody since 31.12.2024. Investigation stands completed. Trial will take time to conclude. She is six months pregnant. No recovery is to be effected from her. No useful purpose would be served by keeping her in custody anymore. Therefore, it is urged that she deserves to be released on bail.

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4. *Per contra*, learned Deputy Advocate General, Punjab, has argued that keeping in view the gravity of the allegations as levelled against the petitioner, she does not deserve to be extended benefit of bail.

5. Rival contentions raised by learned counsel for the parties have been considered.

6. The petitioner is alleged to have hatched a conspiracy with the co-accused to extort money from the complainant and his brother and by extending threats to involve them in false case of rape. An amount of Rs. 2,00,000/- is alleged to have been extracted by her from them. She is in custody since 31.12.2024. Offences for which, she has been booked, are triable by Magistrate. She is six months' pregnant. The trial will obviously take time to conclude. Further incarceration of the petitioner is not going to serve any fruitful purpose. The petitioner has no criminal antecedents. Keeping in view the gravity of the allegations but without meaning to make any comment on the merits of the case, I am of the considered opinion that the petition deserves to be allowed. Hence, the same is allowed and the petitioner is ordered to be released on bail subject to her furnishing personal/surety bonds to the satisfaction of the Chief Judicial Magistrate/ Duty Magistrate concerned.

7. However, in addition to the conditions to be imposed by the learned trial Court/Duty Magistrate/Chief Judicial Magistrate, the release of the petitioner shall also be subject to the following conditions :

(i) she shall not absent herself on any date before the learned trial Court;

(ii) she shall deposit her passport, if any, with the learned

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trial Court;

(iii) she shall give the details of her mobile numbers at the police station concerned and shall not change the same without prior permission of the Court;

(iv) she shall not delay the trial in any manner.

8. In the eventuality of breach of any of the aforementioned conditions, the respondent-State shall be at liberty to move an application seeking cancellation of the bail.

9. It is made clear that any observation made herein above is only for the purpose of deciding the present petition and the same shall have no bearing on the merits of the case.

10. Since the main petition has been allowed, pending application, if any, is rendered infructuous.

[MANISHA BATRA]
JUDGE

30th April, 2025
Parveen Sharma

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

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