



CRM-M-39449-2025 (O&M)

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

(215)

CRM-M-39449-2025 (O&M)

Date of Decision:-25.09.2025

Karamjeet Kaur

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE ALOK JAIN

Present: Ms. Riffi Birla, Advocate for the petitioner.

Mr. Japjot Singh, AAG, Punjab.

ALOK JAIN, J. (Oral)

1. The present petition has been filed *inter alia* praying for grant of regular bail to the petitioner in case FIR No.17 dated 23.01.2025, registered under Sections 96, 137(2), 3(5) BNS (offence under Sections 64, 351(2) BNS and Section 6 POCSO Act, 2012 added later on), at Police Station Sadar Fazilka, District Fazilka (Annexure P-1)

2. Learned State counsel has filed the status report by way of an affidavit of Lavdeep Singh Gill, PPS, Deputy Superintendent of Police (HQ) cum Sub Division Fazilka on behalf of respondent-State, which is taken on record, subject to all just exceptions.

3. Learned counsel for the petitioner submits that the only allegation against the petitioner is that she was instrumental in enticing the prosecutrix along with her son, whereas, in fact, the prosecutrix was recovered by the police authorities from the custody of the present petitioner, however, submits that the petitioner is in custody since 30.01.2025.



4. Admittedly, the son of the petitioner is absconding and all the leads given by the family members of the petitioner are found to be of no outcome.

5. Learned State counsel has filed the custody certificate of the petitioner in Court today, which is taken on record, according to which the petitioner is in custody for the last 07 months and 25 days as on 24.09.2025.

6. Heard learned counsel for the parties at length.

7. In light of the above, and considering that the only role attributed to the petitioner is with regard to enticing the prosecutrix, who has since been recovered, coupled with the fact that the petitioner has been in custody for the last 07 months and 25 days and the fact that the trial is likely to take a long time, therefore, no useful purpose would be served by keeping the petitioner in custody, hence, the petitioner is entitled to the grant of the concession of regular bail.

8. Without commenting upon the merits of the case, the present petition stands allowed and the petitioner is ordered to be released on bail if not required in any other case on furnishing heavy bail bonds and surety bonds to the satisfaction of the trial Court/Duty Magistrate, concerned. The petitioner shall, however, be released on the following conditions:

- i The petitioner shall declare her ordinary place of residence and the mobile number used by her.
- ii The petitioner will not switch off her mobile and in case of any technical glitch, she has to give an alternate number, which will be available in her absence.
- iii The petitioner will mark her presence before the SHO concerned, after every 15 days and in case the SHO refuses to mark her presence, she is permitted to make an application before the Illaqa Magistrate, concerned.



- iv The petitioner will not leave the country without the prior permission of the Court, for which she will submit the copy of her passport also. However, in case the petitioner does not possess a passport, then she shall file an undertaking to the said effect before being released.

The petitioner shall abide by the terms and conditions as imposed in addition to Section 483 of BNSS, 2023.

9. However, nothing stated above shall be construed as a final expression of opinion on the merits of the case and this order shall not be considered as parity *qua* any other co-accused in any manner whatsoever.

10. It is further made clear that, in case, the petitioner is found involved in any such activity once again, the State is at liberty to promptly move an appropriate application for cancellation of bail detailing out the circumstances and violation of conditions of bail.

11. Pending application(s), if any, shall stands disposed of.

(ALOK JAIN)
JUDGE

September 25, 2025

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Whether speaking/reasoned:-
Whether Reportable:-

Yes/No
Yes/No