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

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Date of Decision:- 09.04.2025

Gurpreet Kaur

...Petitioner

Vs.

State of Punjab

...Respondent

CORAM:-HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present:- Mr. Jivtesh Singh Nagi, Advocate
for the petitioner.

Mr. Kewal Singh, Addl. A.G. Punjab.

AMARJOT BHATTI, J.(Oral)

1. Petitioner – Gurpreet Kaur has filed petition under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail in FIR No. 62 dated 10.04.2022 under Section 363, 366-A, 376-DA and 120-B of IPC and Section 6 of POCSO Act registered at Police Station Gate Hakima, Amritsar.

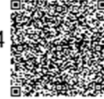
2. Facts of the case are complainant i.e. father of victim gave his statement that on 09.04.2022, at about 12 O' clock noon, victim 'K' age about 15 years went out to collect *kanjak*. Family waited for her return but she did not come home. On inquiry in neighbourhood, they came to know that victim 'K' had gone to house of Gurpreet Kaur and no one saw her coming out of the house. On further inquiry he came to know that

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Talwinder Singh @ Dimpi and Mani in connivance with Gurpreet Kaur trapped his daughter. Thereafter, aforesaid boys left his daughter outside in street by coming on a motorcycle. Victim told that Talwinder Singh @ Dimpi and Mani took her from the house of Gurpreet Kaur on Pulsar motorcycle to Guru Amar Das Avenue near Fatak No. 22 in a vacant portion of house where Talwinder Singh @ Dimpi did wrongful act with her and sexually assaulted her. Complainant came to lodge report along with his wife and victim. With these allegations, present FIR has been registered.

3. Learned counsel representing petitioner argued that after completion of investigation, challan in this case has been presented and case is fixed for prosecution evidence. Allegations levelled against her are false and fabricated. She has not committed any offence. Initially there were allegations against Talwinder Singh @ Dimpi and Mani. Victim categorically stated that apart from Talwinder Singh @ Dimpi, nobody else did any wrongful act with her. Statement of victim recorded in Court is Annexure P-2. Initially Mani was also named as accused but later on victim resiled and did not level any allegation against him. She is in custody since April, 2022. She is ready to face trial and abide by terms of bail order. Therefore, her regular bail petition may be allowed.

4. Bail petition is opposed by learned counsel representing State. It is pointed out that present petitioner is specifically named and there are allegations against her along with other accused. Challan was presented on 08.06.2022 and charges were framed on 16.07.2022. Three prosecution witnesses have been examined. Considering the gravity of offence

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petitioner is not entitled to be released on bail.

5. I have considered the arguments and have gone through the record carefully. Occurrence is dated 09.04.2022. Petitioner was apprehended on 10.04.2022 and now her custody is of three years. Challan in this case has been presented and after framing of chargesheet, prosecution evidence is being recorded. It is confirmed that statement of victim is already recorded as PW-1. Trial in this case is likely to take some time. Allegations of rape are against other accused. As per prosecution case, present petitioner accompanied other accused in commission of said offence. Considering the aforesaid facts and long custody of petitioner, without going on the merits of case, regular bail petition filed by petitioner – Gurpreet Kaur is allowed. She is ordered to be released on bail on furnishing bail bonds and surety bonds to the satisfaction of trial Court/Duty Judge concerned.

6. Pending miscellaneous application(s), if any, stand disposed of accordingly as well.

09.04.2025

*lalit***(AMARJOT BHATTI)
JUDGE**

Whether speaking/reasoned:
Whether reportable:

Yes/No
Yes/No