

PBGD010064852024



Presented on : 13-08-2024

Registered on : 13-08-2024

Decided on : 22.08.2024

**IN THE COURT OF MS. BALJINDER SIDHU, ADDITIONAL
SESSIONS JUDGE, FAST TRACK SPECIAL COURT,
GURDASPUR
UNIQUE IDENTIFICATION CODE NO. PB0100**

Bail Application No. 377 dated 13.08.2024

Date of Decision: 22.08.2024

CIS no. BA-2740-2024

FIR No. 45 dated 05.07.2024

U/S 137 (2), 87 of BNS 2023

P.S. Qadian

Manpreet Kaur wife of Karan Singh resident of village Kot Todar Mal,
Qadian, Tehsil Batala, District Gurdaspur

---Accused/applicant

Versus

State of Punjab.

1st bail application under Section 483 of BNSS

Present: Shri Ajay Lahoura, Adv., counsel for accused-applicant
Shri Hardeep Kumar, Addl.P.P for the State.

ORDER

1. This order of mine shall dispose off application seeking bail under Section 483 Bharatiya Nagarik Suraksha Sanhita moved on behalf of above said accused/applicant.
2. Notice of bail application was given to State. The learned APP for the State has put in appearance.
3. In brief, the facts of the present case are that present case was

registered on the statement of Dilbagh Singh to the effect that he is earning his livelihood by doing labour work and was married in the year 2007 with Jeet Kaur and earlier his wife was married with Sarwan Singh son of Piara Singh and out of the said wedlock, his wife has two children; a son Sona Singh and daughter Manpreet Kaur aged about 19 years. Sarwan Singh had died in the year 2005 and both the children of his wife from her earlier marriage were residing at her parental house. Now he has two children from his wife, a daughter/prosecutrix aged about 16 years and a son Sajan Singh aged about 3 years. Aforesaid Manpreet Kaur was married with Karan Singh and her husband Karan Singh took his daughter/prosecutrix alongwith them and prayed that his daughter be recovered.

4. I have heard the learned counsel for accused-applicant, learned Additional PP for the State and have also perused the record.

5. The counsel for accused-applicant contended that no offence of kidnapping was made out against Manpreet Kaur as she was sister of prosecutrix and she just had taken her sister alongwith her. Even in the statement of the prosecutrix recorded under Section 164 Cr.PC, the prosecutrix had not levelled any allegations against the accused-applicant and prayed for grant of bail.

6. On the other hand, learned Additional PP for the State opposed the contentions raised on behalf of the present accused-applicant and argued that serious allegations have been leveled against the present

accused/applicant and prayed for dismissal.

7. After hearing learned counsel for parties and after perusing the record, this court is of the considered view that present accused/applicant is in custody since 05.07.2024. No allegations have been levelled against the present accused-applicant by the prosecutrix in her statement recorded under Section 164 Cr.PC by the learned Magistrate, who is sister of the prosecutrix. No useful purpose would be served by detaining that accused/applicant behind the bars for indefinite period as the presentation of challan and conclusion of trial is likely to take considerable time. In the given circumstances, bail application of the accused/applicant is allowed and accused/applicant is ordered to be released on her furnishing bail bonds in the sum of Rs. 50,000/- with one surety of the like amount to the satisfaction of learned Illaqa Magistrate/Duty Magistrate. Record of learned Illaqa Magistrate be returned forthwith along-with copy of this order. Papers of bail application be consigned to record room.

Date of Order: 22.08.2024

Dilbag Singh Steno-II

(Baljinder Sidhu)

Additional Sessions Judge

Fast Track Special Court

Gurdaspur/UID no. PB0100