

**THE COURT OF SMT. PREETI SAHNI,
ADDITIONAL SESSIONS JUDGE, TARN TARAN**

CIS No : BA/1437/21.
Date of Institution : 24.05.2021.
Date of Decision : 05.07.2021.

Ninder Kaur aged 44 years wife of Tarsem Singh, resident of Ward No.1
Khem Karan, Tehsil Patti, District Tarn Taran.

----Applicant/accused.

Versus.

State of Punjab.

-----Respondent.

FIR No. : 10 dated 20.02.2021.
Under Section : 363, 366-A, 120-B IPC.
Police Station : Khem Karan.

Application under Section 438 Cr.P.C..

Present: Sh. S.S Janda, Advocate, counsel for the applicant/accused.
Sh. Gurpreet Singh Rana, APP for the State.

Order

Accused/applicant has moved the present bail application under
Section 438 Cr.P.C. seeking grant of anticipatory bail.

It is alleged that the accused- applicant is falsely implicated in
the present case; she has no concern with the main accused Harpreet Singh.
The co-accused were already granted the concession of bail by the Court of
Sh.Charanjeet Arora, Ld. Additional Sessions Judge, Tarn Taran, vide order
dated 10.03.2021. The allegations leveled in the FIR are false and frivolous.
Further, she is ready to join the investigation.

Learned APP for the State has opposed the bail application on
the ground of seriousness of the offence.

Heard. Record received and perused.

Perusal of record reveals that case is registered at the instance
of Raj Kaur, mother of the prosecutrix; in her statement dated 20.02.2021;

she stated that her daughter (prosecutrix) whose date of birth is 14.05.2003, is studying in 10+1 class in a school at Amarkot.

On 19.02.2021 at about 7:00 p.m, applicant-accused came to her house and took her daughter (prosecutrix) with her; when after the some time her daughter did not return; she inquired about her from the applicant-accused. She replied that her had already left her house.

The complainant stated that she is having apprehension that the applicant-accused is connivance with other family members had taken away her daughter on the pretext of marrying with Harpreet Singh.

During investigation the prosecutrix was recovered and her statement was recorded; wherein she stated that she got married with Hapreet Singh on her own and she is aged about 18 years and she is living with him with her own consent. No wrong had taken place with her.

Further, this fact has also come on record that when she was taken for medical examination; she refused to get the same.

At this stage without commenting upon the merits of the matter and also considering the over all facts and circumstances of the case as discussed above the present bail application is fit case where the accused/applicant can be given the concession of interim anticipatory bail. As such applicant/accused is directed to join the investigation till 22.07.2021 and in such event the applicant/accused will be admitted on interim bail to the satisfaction of arresting officer/investigation officer/SHO concerned of the police station subject to conditions:-

- a) The applicant will join the investigation and corporate with the same as and when called by the investigation officer.

- b) He will not tamper with the prosecution evidence.
- c) He will not leave the country without prior permission of the court.

Report be submitted in this court and for consideration on the said date.

Pronounced
05.07.2021
Rahul Sharma
Stenographer-II

Preeti Sahni
Additional Sessions Judge
Tarn Taran/UID-PB0078