

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Criminal Misc. No. M-12574 of 2015
Date of decision: 07.09.2015

Ram Pyari

..Petitioner

Versus

State of Punjab

..Respondent

CORAM: HON'BLE MRS. JUSTICE DAYA CHAUDHARY

- 1. Whether reporters of local newspapers may be allowed to see judgment? Yes/No**
- 2. To be referred to reporters or not? Yes/No**
- 3. Whether the judgment should be reported in the Digest? Yes/No**

Present: Mr. Tarunveer Vashist, Advocate
for the petitioner.

Mr. Rupam Aggarwal, DAG, Punjab
for the respondent – State.

Daya Chaudhary, J. (Oral)

The present petition has been filed under Section 439 Cr.P.C. on behalf of the petitioner-Ram Pyari for grant of regular bail in case FIR No.52 dated 25.04.2013, under Sections 363, 366 and 120-B of Indian Penal Code registered at Police Station City Malout, District Sri Muktsar Sahib.

Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the case. Son of the petitioner and daughter of complainant, namely, Amandeep Kaur, have solemnized marriage without consent of both the families and presently, they are residing happily in their matrimonial life. The complaint was made by father of the girl, namely, Mukhtiar Singh and he also approached this Court by way of filing Criminal Writ Petition

No.885 of 2013 wherein his daughter-Amandeep Kaur has stated that she had left her house and got married with D.C. @ Sukhwinder Singh at her own will. In the said petition, complainant was allowed to meet his daughter in the Court on making request. Amandeep Kaur, daughter of complainant was allowed to go to the place of her own choice vide order dated 26.02.2015. Now she is residing with her husband D.C. @ Sukhwinder Singh. Learned counsel further submits that it is not a case of any conspiracy on the part of the present petitioner and the petitioner is in custody since 14.02.2015. Learned counsel also submits that the case before the trial Court is fixed for prosecution evidence and no purpose would be served by keeping the petitioner in custody.

Learned State counsel has not disputed the factum of filing Criminal Writ Petition No.885 of 2013 by father of Amandeep Kaur as well as statement made by Amandeep Kaur before this Court and the stage of trial.

Keeping in view the submissions made by learned counsel for the petitioner and also the fact that daughter of the complainant is residing in her matrimonial life; statement made by Amandeep Kaur before this Court; the petitioner is in custody since 14.02.2015; and no purpose would be served by keeping her in custody, the present petition is allowed and the petitioner (Ram Pyari) is directed to be released on regular bail subject to furnishing bail/surety bonds to the satisfaction of the trial Court.

07.09.2015

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(DAYA CHAUDHARY)
JUDGE