

209

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.14743 of 2015
Date of Decision: 27.05.2015

SACHDEV SINGH @ MANGA

.....Petitioner

Vs

STATE OF PUNJAB

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. Sarbjit Singh , Advocate
for the petitioner.

Mr. Arshdeep Singh Kler, DAG, Punjab.

1. *Whether Reporters of local papers may be allowed to see the judgment ?*
2. *To be referred to the Reporters or not ?*
3. *Whether the judgment should be reported in the Digest?*

RAJ MOHAN SINGH, J. (Oral)

In pursuance to order dated 12.05.2015, statement of Jyoti under Section 164 Cr.P.C. has been placed on record. Petitioner seeks regular bail in case baring FIR No.29 dated 07.03.2015 under Section 365, 366, 376, 511, 506, 120 B IPC, Police Station Sadar Kapurthala, District Kapurthala. The FIR came to be recorded on the statement of Jyoti, alleging that on 27.02.2015 at about 08:45 a.m., she went to school. At the gate of school, Palli met her and forcibly took her in a vehicle to his haveli. Petitioner was already present there. The allegation against the petitioner is that he bolted the door from outside and Palli tried to do wrongful act with the prosecuterix. In the meanwhile, Manga informed Palli on telephone

that alarm has been made in the village on account of this episode and thereafter, Manga opened the door. Palli dropped the prosecuterix near civil hospital. Thereafter, it has been alleged that parties started making efforts of compromise, but the same could not be effected. That is why in respect of occurrence dated 27.02.2015, FIR was registered only on 07.03.2015.

Learned counsel relies upon factum of alleged compromise dated 02.03.2015, wherein prosecuterix has admitted her going with Palli with her own will and nothing wrong had happened with her. This compromise is stated to be in consonance with the allegations made in FIR. However, Mr. Arshdeep Singh Kler, DAG, Punjab, on instructions from ASI Satwant Singh states with reference to statement under Section 164 Cr.P.C. that the prosecuterix has alleged incriminating act in the context of culpability under Section 376 against the accused Palli. Fact remains that so far as petitioner is concerned, there is no incriminating allegation except the one that he bolted the door of haveli from outside. At this stage, without commenting upon the merits of the case, petitioner is ordered to be released on regular bail, subject to his furnishing adequate bail bonds and surety bonds to the satisfaction of CJM/Illaqia Magistrate, Kapurthala.

Nothing expressed hereinabove would be construed to be an expression of any opinion on merits of the case.

May 27, 2015

(RAJ MOHAN SINGH)
JUDGE