

**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH.**

CRM-M No.15518 of 2015

Date of Decision:-27.08.2015

Gopi.

.....Petitioner.

Versus

State of Punjab.

.....Respondent.

CORAM:- HON'BLE MR. JUSTICE JASWANT SINGH

Present:- Mr. R.S. Manhas Advocate for the Petitioner.

Mr. K.S. Sidhu, DAG Punjab.

JASWANT SINGH, J (ORAL)

Prayer is under Section 439 Cr.PC for grant of regular bail to the petitioner Gopi in case FIR No.36 dated 18.03.2015 under Sections 363, 366-A and 120-B and further added Section 376 of Indian Penal Code and Section 4 of the Protection of Children from Sexual Offence Act, 2012 registered with Police Station Division No.2, District Pathankot.

As per allegations, the petitioner along with one Sheetal @ Gudia are alleged to have persuaded the minor prosecutrix to marry one Narinder Kumar.

It is stated that the said Narinder Kumar and the prosecutrix after their marriage in a temple had also sought protection from this Court as per Annexure P-2, however, due to the subsequent change of heart, the prosecutrix has falsely foisted the case upon the petitioner and his other

accused. It is further stated that the other co-accused Sheetal @ Gudia in similar allegations have since been granted bail while the petitioner is in custody for more than 5 months.

Learned State Counsel on instructions from SI Tirlok Singh does not dispute that the other co-accused Sheetal has since been granted bail.

Without commenting upon the merits of the case, keeping in view the above, the petitioner deserves to be allowed and accordingly petitioner is ordered to be released on bail to the satisfaction of CJM/Duty Magistrate, Pathankot.

**(JASWANT SINGH)
JUDGE**

August 27, 2015
Vinay