

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM No.M-23570 of 2015 (O&M)
Date of Decision: 28.08.2015

Avtar Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR.JUSTICE R.P. NAGRATH

1. *Whether Reporters of the 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?*

Present: Mr. Sanjeev K. Virk, Advocate
for the petitioner.

Mr. Gazi Mohd., DAG, Punjab
for the State.

R.P. Nagrath, J. (Oral)

This petition under Section 439 Cr.P.C. has been filed by the petitioner for grant of regular bail in case FIR No.121 dated 19.12.2014 under Sections 363, 366-A IPC, Police Station Sadar Phagwara, District Kapurthala.

Learned State counsel submits that statement of the girl was recorded under Section 164 Cr.P.C. on 21.05.2015. The girl has made statement in favour of petitioner that she has solemnised marriage with him and is residing with the family of petitioner.

Learned State counsel further submits that after registration of the FIR, Section 376 IPC and Sections 5 and 6 of the

Protection of Children from Sexual Offences Act, 2012 have also been added. He further submits that the girl is living with the family of petitioner since December, 2014. He also submits that as per statement of the girl, her brother-in-law used to misbehave with her. Natural father of the girl is not alive and she has a step-father.

On the oral request made by learned counsel for the petitioner, Section 376 IPC and Sections 5 and 6 of the Protection of Children from Sexual Offence Act, 2012 be added in the head note of the petition and the prayer clause.

The girl had also filed a petition before the Punjab State Human Rights Commission in which order dated 14.01.2015 (Annexure P-3) was passed directing the SSP, Kapurthala to expeditiously dispose of the complaint made by the girl. Petitioner is in custody from 20.05.2015.

After hearing learned counsel for the parties, without commenting on the merits of the case, keeping in view the fact that the trial will take time in conclusion, the instant petition is allowed and petitioner-Avtar Singh be admitted to bail on furnishing bail bonds to the satisfaction of trial Court.

28.08.2015
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(R.P. Nagrath)
Judge