

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH.

Crl.Misc. No.M-28083 of 2015
Date of Decision : 27.8.2015

Gurpreet SinghPetitioner

Vs.

State of PunjabRespondent

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CORAM : HON'BLE MR. JUSTICE RAMESHWAR SINGH MALIK

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Present : Mr. Lovkesh Gupta, Advocate for the petitioner.
Ms. Anmol Grewal, AAG, Punjab.
Mr. Amandeep Sibra, Advocate for respondent no.2.

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1. To be referred to the Reporter or not ?
2. Whether the judgement should be reported in Digest ?

RAMESHWAR SINGH MALIK, J

Petitioner seeks bail pending trial in FIR No.50 dated 19.3.2015 under Sections 323,341,365,376,34 IPC registered at Police Station Navi Baradari, Jalandhar.

Learned counsel for the petitioner submits that the prosecutrix namely; Ms. Kanchan is still living with the parents of the petitioner. She went with the petitioner on her own sweet will. He prays for allowing the present petition.

Learned counsel for the complainant also submits that he does not intend to oppose the present petition, because the parties have compromised the matter.

However, learned counsel for the State on instructions from S.I.

Kabal Singh, Police Station Navi Baradari, Distt. Jalandhar, submits that the prosecutrix supported the prosecution version in her statement under Section 164 Cr.P.C. She prays for dismissal of the present petition.

Having heard learned counsel for the parties and after careful perusal of the record of the case, this court is of the considered opinion that in the given fact situation of the present case, petitioner has been found entitled for bail pending trial. To clarify the above said fact situation, the court asked from the prosecutrix, who is present in the court, as to whether she has gone with the petitioner on her own, she answered in the affirmative. Explaining her conduct regarding her statement under Section 164 Cr.P.C., she submits that she made the said statement before the learned Magistrate, because she was under pressure from her parents.

In view of the above and without commenting anything further on the merits of the case, lest it should prejudice the rights of either of the parties, instant petition is allowed. Petitioner is directed to be released on bail on his furnishing adequate bail bonds/surety bonds to the satisfaction of the learned trial court.

Disposed of, accordingly.

27.8.2015
GS

(RAMESHWAR SINGH MALIK)
JUDGE