

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Criminal Misc.No.M-34652 of 2015 (O&M)
Date of decision: 05th November, 2015

Panna Lal

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Ajay Singla, Advocate,
for the petitioner.

Ms. Shivali, AAG, Punjab,
for the respondent(s)-State.

INDERJIT SINGH, J.

Petitioner has preferred the instant petition under Section 439 Cr.P.C., seeking regular bail in case FIR No.82 dated 28.03.2015, registered at Police Station Salem Tabri, District Ludhiana, under Sections 363, 366, 120-B, 376, 346 IPC (Sections 376 and 346 IPC added lateron).

Notice of motion was issued.

Learned State counsel appeared and contested this petition.

I have heard learned counsel for the petitioner as well as learned State counsel and have gone through the record.

As per FIR, the allegations regarding rape are not levelled against the petitioner. There is only allegation that Vadivel alongwith some co-accused kidnapped/abducted the prosecutrix and she was

taken to the house of petitioner. There is also allegation in the FIR that the prosecutrix was induced to marry with Vadivel. Learned counsel for the petitioner contended that the prosecutrix remained with Vadivel and they also produced the marriage certificate issued from the Government of Tamil Nadu. Learned counsel for the petitioner also contended that on the similar allegations, wife of the petitioner has already been granted bail by this Court.

Therefore, keeping in view the facts and circumstances of the present case and in view of the facts that the main allegations regarding kidnapping/abduction/rape are not levelled against the petitioner; he is in custody since 09.08.2015; he is no more required for custodial interrogation; the trial of the case will take long time and no useful purpose will be served by keeping him in custody, the instant petition is accepted and the petitioner is ordered to be released on regular bail on his furnishing bail bonds in the sum of ₹ 50,000/- with one surety in the like amount to the satisfaction of the trial Court/Duty Magistrate, Ludhiana.

05th November, 2015
mamta

(INDERJIT SINGH)
JUDGE