

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CRM-M-35247-2015

Date of decision: 19.10.2015

Baljinder Singh

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE RAMESHWAR SINGH MALIK

Present: Mr. H.N.S. Gill, Advocate
for the petitioner.

Mr. P.S. Bajwa, DAG, Punjab.

RAMESHWAR SINGH MALIK, J. (ORAL)

Petitioner seeks bail pending trial in FIR No.136 dated 26.08.2015 under Sections 354-D IPC and PASCO Act, 2012, registered at Police Station Kurali, District SAS Nagar (Mohali).

Learned counsel for the petitioner submits that as per the MLRs of Manpreet Kaur as well as her mother Baljeet Kaur, no visible injury marks were found. He further submits that in such a situation, no case is made out against the petitioner. Since challan is yet to be presented, conclusion of trial is going to take pretty long time. He prays for allowing the present petition.

On the other hand, learned counsel for the State, on instructions from SI Harbhajan Singh, Police Station Kurali, SAS Nagar (Mohali), submits that there were injuries on the person of mother of the victim. He prays for dismissal of the present petition.

Having heard the learned counsel for the parties and after careful perusal of the record of the case, this Court is of the considered opinion that keeping in view the totality of facts and circumstances of the case, petitioner has been found entitled for bail pending trial. It is so said because as per both the MLRs, no visible injury marks were found on the person of either of these two ladies. No swelling, no redness, nor any fresh bleeding was found. It is also a matter of record that report under Section 173 (2) Cr.P.C. has not been presented so far.

In this view of the matter and without commenting anything further on merits at this stage, instant petition is allowed. Petitioner is directed to be released on bail pending trial on his furnishing adequate bail bonds/surety bonds to the satisfaction of learned trial Court.

Disposed of, accordingly.

[RAMESHWAR SINGH MALIK]
JUDGE

19.10.2015
vishnu