

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Crl. Misc. No. M-40843 of 2015

DATE OF DECISION: 10.12.2015

Surjeet Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

BEFORE:- HON'BLE MRS. JUSTICE DAYA CHAUDHARY

1. **Whether reporters of local newspaper may be allowed to see judgment? (Yes/No)**
2. **To be referred to reporters or not? (Yes/No)**
3. **Whether the judgment should be reported in the Digest? (Yes/No)**

Present:- Mr. Kamal Narula, Advocate
for the petitioner.

Mrs. Ritu Punj, Addl. A.G., Punjab.

DAYA CHAUDHARY, J.

The present petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No. 192 dated 4.8.2014 registered under Sections 376/506 IPC (Sections 109/120-B IPC added later on) at Police Station Sadar Fazilka, District Fazilka.

Learned counsel for the petitioner contends that the petitioner being the father of the main accused has falsely been implicated in this case, whereas, neither he is named in the FIR nor any role has been attributed to him. The petitioner has been involved in this case after addition of Sections 109,120-B IPC by the investigating agency after a period of one year. Learned counsel further contends that no father would

like to ask his son to commit rape and there cannot be any involvement of the father when main accused is the son.

Learned counsel for the respondent-State has not disputed the custody period as well as the fact that name of the petitioner has been added after a period of one year.

In view of the submissions made by learned counsel for the petitioner and also the fact that the petitioner has been involved in this case after a period of one year; main accused is the son of the petitioner and the petitioner is in custody since 13.9.2015, the present petition is allowed. Petitioner-Surjeet Singh is directed to be released on regular bail subject to his furnishing bail/surety bonds to the satisfaction of Illaqa Magistrate/Duty Magistrate.

December 10, 2015
pooja

(DAYA CHAUDHARY)
JUDGE