

IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH

CRM-M-31336-2016

Date of Decision:- 28.09.2016

Amarjeet Singh alias Kala

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present: Ms. Gurjeet Kaur, Advocate,  
for the petitioner.

Mr. K.D. Sachdeva, Addl. A.G., Punjab.

\*\*\*\*

**RITU BAHRI, J. (Oral)**

Present petition is for release of petitioner on regular bail in FIR No.82 dated 04.06.2015, under Section 376, 366 and 380 IPC, registered at Police Station Baghapurana, District Moga.

Learned counsel for the petitioner submits that no offence under Section 376 is made out against the petitioner as the prosecutrix is the legally wedded wife of the petitioner. Moreover, after solemnization of her marriage with the petitioner, both of them had approached this Court by way of CRM-M-19668 of 2015 (Annexure P-2), for seeking protection and the same has been granted to them, vide order dated 11.06.2015. The final conclusion of the trial will take a long time. So, he be released on regular bail.

Learned State counsel has placed on record the custody certificate of the petitioner. As per custody certificate, the petitioner has already undergone the custody of 1 year, 1 month and 12 days during the period of trial. Moreover, out of total 23 witnesses, 11 have been examined so far.

I have heard the learned counsel for the parties and with their able assistance gone through the material available on record.

The petitioner was arrested on 15.08.2015. Since then, he is in judicial custody and no useful purpose would be served to further detain him in jail. The final conclusion of trial will take a long time.

In view of above facts, the present petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing adequate bail bonds and surety bonds to the satisfaction of learned trial Judge/Duty Magistrate, Moga.

Needless to mention that, nothing observed here-in-above, would reflect, on merits in the trial of the main case, in any manner.

September 28, 2016  
naresh.k

( **RITU BAHRI** )  
JUDGE

|                           |     |
|---------------------------|-----|
| Whether speaking/reasoned | Yes |
| Whether reportable        | No  |