

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

**CRM NO. M-33880 OF 2016
DECIDED ON : 28.09.2016**

Kuldeep Singh

...Petitioner

versus

State of Punjab

...Respondent

CORAM : HON'BLE MS. JUSTICE RITU BAHRI

Present : Mr. A. K.Khunger, Advocate,
for the petitioner.

Mr. K. D. Sachdeva, Addl. AG, Punjab.

RITU BAHRI, J. (ORAL)

The petitioner is seeking grant of regular bail in case FIR No.114 dated 11.12.2012 under Sections 376/363/366-A/120-B/181/193/199 of the Indian Penal Code registered at Police Station Dialpura, District Bathinda.

Custody certificate filed today in Court is taken on record. Earlier petitioner along with Gian Kaur approached this Court and they were granted protection by this Court vide order dated 12.12.2012 (Annexure P-1) passed in CRM No. M-39578 of 2012 as they solemnized marriage. Thereafter FIR was got registered by the father of Gian Kaur against the petitioner. The petitioner was granted anticipatory bail by the Sessions Court

vide order dated 21.05.2015 (Annexure P-2) and thereafter, he did not join the proceedings in the trial and was declared proclaimed offender on 05.10.2015. The other two accused namely Nasib Kaur and Angrej Singh @ Babbi were acquitted by the trial Court vide judgment dated 05.10.2015 (Annexure P-3). The petitioner was arrested and he filed an application for grant of bail which was dismissed by the Additional Sessions Judge, Bathinda, vide order dated 09.09.2016 (Annexure P-4) observing that since he was declared proclaimed offender and was an absconder, there was no question of granting him anticipatory bail. However, the reasons for declining his bail have not rightly been observed in the order dated 09.09.2016. The petitioner was seeking regular bail after his arrest and his application was filed under Section 439 Cr.P.C.

Keeping in view the circumstances discussed above, the petition is allowed. Petitioner Kuldeep Singh is ordered to be released on bail on his furnishing bail bonds to the satisfaction of trial Court/Duty Magistrate, Bathinda.

(RITU BAHRI)
JUDGE

SEPTEMBER 28, 2016

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| 1. | Whether speaking/reasoned ? | YES/NO |
| 2. | Whether reportable ? | YES/NO |