

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

Crl. Misc. No.M-9470 of 2016
Date of Decision: 22.03.2016

Varinder Singh @ Ravi

....Petitioner

Versus

State of Punjab

....Respondent

BEFORE :- HON'BLE MRS. JUSTICE DAYA CHAUDHARY

- 1. Whether reporters of local newspapers may be allowed to see the 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. Inder Pal Singh, Advocate
for the petitioner.

Mr. Rupam Aggarwal, D.A.G., Punjab
for the respondent-State

DAYA CHAUDHARY, J. (ORAL)

This petition has been filed under Section 439 Cr.P.C for grant of regular bail to the petitioner in case FIR No.42 dated 19.05.2015 registered under Sections 363, 366 and 120-B IPC at Police Station Chohla Sahib, District Tarn Taran.

Learned counsel for the petitioner submits that the petitioner has been implicated being brother of the main accused. The victim was major at the time of alleged occurrence and she got married with brother of the petitioner on 21.05.2015. Even both the parties filed protection petition bearing **Criminal Misc. No.M-18604 of 2015** before this Court and protection was granted to them on 29.05.2015. Learned counsel further submits that the petitioner has no role in kidnapping of the daughter of the

complainant in any manner. Only the name of the petitioner has been mentioned but no role has been attributed to him. Learned counsel has placed on record photocopy of the *Adhaar Card* to show that the victim was more than 20 years of age at the time of alleged occurrence. The petitioner is in custody since 03.07.2015. Challan has been presented and charges have also been framed. Trial may take some time to conclude.

Learned counsel for the respondent-State has not disputed the custody period as well as relation of the petitioner with main accused and also the fact that his brother and daughter of the complainant have solemnized marriage and protection petition was also filed by them.

Heard the arguments of learned counsel for the parties and have also perused the allegations levelled in the FIR as well as other documents available on the file.

As per submission of learned counsel for the petitioner, the daughter of the complainant and brother of the petitioner have solemnized marriage and protection petition was also filed by them, wherein, the protection was granted to them. Petitioner is brother of main accused and he has no role to play in case of love marriage. Moreover, the petitioner is in custody since 03.07.2015. Trial may take some time to conclude and no useful purpose would be served by keeping the petitioner behind bars.

Accordingly, the present petition is allowed and the petitioner is directed to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the trial Court.

22.03.2016
gurpreet

(DAYA CHAUDHARY)
JUDGE