

In the High Court of Punjab and Haryana at Chandigarh

CRM -M-17172 of 2017

Date of Decision: 25.5.2017

Gagandeep Singh

---Petitioner

versus

State of Punjab and another

---Respondents

Coram: Hon'ble Mrs. Justice Rekha Mittal

Present: Ms. Sushma Chopra, Advocate
for the petitioner

Mr. Ankur Jain, AAG, Punjab

Mr. Rishi Tandon, Advocate
for respondent No.2

Rekha Mittal, J.

The petitioner prays for grant of regular bail in FIR No. 401 dated 13.9.2005 for offence under Sections 363, 366, 376 of the Indian Penal Code (in short "IPC") registered at Police Station Nakodar, District Jalandhar.

Counsel for the petitioner has submitted that the petitioner was summoned as an additional accused under Section 319 of the Code of Criminal Procedure (in short "Cr.P.C,"), Paramjit Singh son of Harjit Singh

alongwith others summoned as additional accused except the present petitioner faced trial and they were acquitted by the Additional Sessions Judge (Ad hoc), Jalandhar vide judgment dated 15.6.2007 whereas Harvinder Singh @ Binder Singh was acquitted vide judgment dated 2.7.2010 by the Juvenile Justice Board. It is further submitted that the prosecutrix is not likely to depose against the petitioner in view of her affidavit (Annexure P-4). The petitioner is ready to face proceedings, in accordance with law.

Counsel for respondent No. 2/complainant does not oppose the prayer for bail. However, counsel for the State of Punjab would submit that as the petitioner was earlier declared as a proclaimed offender, he is likely to flee from process of justice, in case enlarged on bail.

In reply, counsel for the petitioner would submit that the petitioner has already surrendered his passport before the police and he undertakes not to leave India till the trial is concluded.

In view of the above, without commenting upon merits of the controversy, bail to the petitioner subject to satisfaction of the trial Court. However, he shall abide by the following conditions:-

- (i) He shall not offer any threat, promise or inducement to any person acquainted with the facts of the case so as to dissuade him from disclosing the same to the Investigating Officer/Court; and
- (ii) He shall not leave the limits of this country without prior permission of the Court.

Petition stands disposed of accordingly.

(Rekha Mittal)
Judge

25.5.2017

PARAMJIT Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No