

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

Criminal Misc. No.M- 22044 of 2017(O&M)

Date of Decision: November 22 , 2017.

Saba Singh and another

..... PETITIONER (s)

Versus

State of Punjab

..... RESPONDENT (s)

CORAM:- HON'BLE MRS.JUSTICE LISA GILL

Present: Mr. S.S.Goraya, Advocate
for the petitioners.

Mr. Rahul Rathore, DAG, Punjab

1. Whether reporters of local papers may be allowed to see the judgment?
2. To be referred to the reporters or not?
3. Whether the judgment should be reported in the digest?

LISA GILL, J.

Prayer in this petition is for grant of anticipatory bail to the petitioners in FIR No.42 dated 31.07.2016 under Sections 363/366A/120B/376 467/468 IPC and Sections 3/4 of the Protection of Children from Sexual Offences Act, 2012, registered at Police Station Rangar Nangal, Police District Batala, District Gurdaspur.

Contentions on behalf of the petitioners as noted on 25.07.2017 by this Court, read as under:-

“As per the allegations, the present petitioners i.e., the brother-in-law and the real sister of Jagroop Singh (with whom

marriage of the victim was solemnized) procured a false and fabricated Adhaar card of the victim and aided her marriage with accused Jagroop Singh.

It is submitted that the petitioners have been falsely implicated in this case due to their relationship with the main accused, who is alleged to have solemnized marriage with the victim. It is contended that the petitioners have no role to play in the said matter and were found innocent during investigation. They have been summoned on an application under Section 319 Cr.P.C. The petitioners, it is submitted, are ready and willing to appear before the learned trial court and face trial.”

It is submitted that the petitioners have since appeared before the learned trial court on 31.07.2017 pursuant to order dated 25.07.2017. The petitioners undertake to face trial and be present on each and every date fixed before the learned trial court and not abuse the concession of bail, if confirmed. Therefore, it is prayed that this petition be allowed.

Learned counsel for the State, on instructions from ASI Rajesh Kumar, verifies that the petitioners have since appeared before the learned trial court on 31.07.2017. The said order dated 31.07.2017 is available on the police file. The petitioners are not reported to be involved in any other criminal case.

There are no allegations on behalf of the State that the petitioners are likely to abscond or that they are likely to dissuade the witnesses from deposing true facts before the Court, if released on bail.

Keeping in view the facts and circumstances as above but without commenting upon or expressing any opinion on the merits of the case, this petition is allowed. Consequently, interim bail afforded to the petitioners by the learned trial court on 31.07.2017 is made absolute subject to their furnishing

fresh bail bonds and surety to the satisfaction of the learned trial court.

It is clarified that none of the observations made hereinabove shall be construed to be a reflection on the merits of the case. The same are solely confined for the purpose of decision of the present petition.

November 22 , 2017.
'om'

(LISA GILL)
JUDGE

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