

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

Criminal Misc. No.M- 23743 of 2017(O&M)

Date of Decision: July 12 , 2017.

Tarsem Singh PETITIONER (s)

Versus

State of Punjab RESPONDENT (s)

CORAM:- HON'BLE MRS.JUSTICE LISA GILL

Present: Mr. Gopal Singh Nahel, Advocate
for the petitioner.

Ms. Monika Jalota, 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.

The petitioner prays for bail pending trial in FIR No.15 dated 12.03.2017 under Sections 363/366A IPC registered at Police Station Longowal, District Sangrur.

It is submitted that the petitioner has been falsely implicated in this case. The alleged victim accompanied the petitioner out of her free own will and volition. Reference is made to the statement of the victim recorded under Section 164 Cr.P.C. It is stated by the victim that she had friendly relations with the petitioner which was not to the liking of her family members. She left her

house on 06.03.2017 out of her own free will and accompanied the petitioner. They went to various places by train and bus. Ultimately they reached Hazoor Sahib. The petitioner's parents reached there and brought them back. She was produced before the learned Magistrate on 17.03.2017. It is submitted that Challan/final report under Section 173 Cr.P.C has since been presented in this case. The petitioner is a young man of 21 years and is not involved in any other case. Therefore, it is prayed that this petition be allowed.

Learned counsel for the State, on instructions from HC Jasbir Singh, submits that the victim in this case is 17 years old. The offence is clearly made out against the petitioner. However, the statement of the victim under Section 164 Cr.P.C. as above, is not disputed. It is further verified that challan/final report under Section 173 Cr.P.C. has been presented, charge framed and the prosecution evidence is to be led.

The petitioner is not involved in any other case. No recovery is to be effected from him. Trial in this case is not likely to conclude in the near future. No useful purpose would be served by keeping the petitioner incarcerated any longer in the facts and circumstances of this case.

There are no allegations on behalf of the State that the petitioner is likely to abscond or that he is likely to dissuade the witnesses from deposing true facts in 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 filed by Tarsem Singh is allowed. The petitioner shall be released on bail pending trial subject to his furnishing requisite 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.

July 12 , 2017.
'om'

(LISA GILL)
JUDGE

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