

Criminal Misc. No. M- 35018 of 2017 (O&M)

Date of decision : September 25, 2017

Natha Singh

.....Petitioner

Versus

State of Punjab

....Respondent

CORAM:- HON'BLE MRS. JUSTICE LISA GILLPresent: Mr. Amrik Singh Kalra, Advocate
for the petitioner.

Mr. Devinder Bir Singh, DAG, Punjab.

LISA GILL, J.

The petitioner prays for bail pending trial in FIR No. 9 dated 14.02.2015 under Sections 363, 366A IPC registered at Police Station Arniwala, District Fazilka.

It is submitted that the petitioner has been falsely implicated at the instance of the complainant. In fact the petitioner and the complainant's daughter solemnised marriage on 15.01.2015. A daughter was born out of this wedlock on 13.01.2016. The alleged victim is residing with her in-laws i.e. the parents of the petitioner. The petitioner has been in custody since 18.09.2016. It is, thus, prayed that this petition be allowed.

I have heard learned counsel for the parties.

Learned counsel for the State, on instructions from ASI Bhupinder Singh, verifies the factum of the petitioner and the complainant's daughter solemnising marriage. It is further verified that a daughter was born out of this wedlock and the victim is now residing with her in-laws family i.e. the parents of the petitioner. Only one prosecution witness,

in this case, has been examined. The petitioner is not reported to be involved in any other criminal case except one which also stands cancelled.

There are no allegations on behalf of the State that 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. Trial in this case is not likely to conclude in the near future.

No useful purpose shall be served by keeping the petitioner incarcerated any longer. Keeping in view the facts and circumstances noted above but without expressing any opinion on the merits of case, it is considered just and expedient to allow this petition.

Consequently, the petitioner 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 reiterated that none of the observations made herein above are a reflection on the merits of the case and shall have no bearing on the trial.

September 25, 2017
rts

(Lisa Gill)
Judge

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