

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

Crl. Misc. M-48284 of 2017 (O&M)
Date of Decision: December 22, 2017

Gurwinder Singh alias Ginda

...Petitioner

Versus

State of Punjab

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Ashish Aggarwal, Advocate
for the petitioner.

Mr. A.S. Dhaliwal, DAG Punjab.

JAISHREE THAKUR, J. (Oral)

The instant petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No.46 dated 11.06.2014, under Sections 363, 366-A, 120-B of Indian Penal Code (Section 4 of the POCSO Act added later on) registered at Police Station Khalra, District Tarn Taran.

Learned counsel for the petitioner contends that the petitioner herein was taken into custody in the aforesaid FIR on 16.05.2017. It is argued that in fact, the petitioner has solemnized a marriage with the daughter of the complainant on 29.05.2014 and out of which wedlock, a child has been born. It is also contended that the matter stands compromised between the parties, as per the affidavits Annexures P3 and

P4, annexed with this petition.

Per contra, learned counsel appearing on behalf of respondent-State, on instructions from SI Satnam Singh, admits that daughter of the complainant and the petitioner herein have solemnized a marriage.

I have heard learned counsel for the parties.

Since, the trial is likely to take some time and in view of the facts that both the petitioner and the prosecutrix have solemnized a marriage and that the petitioner herein has been in custody since 16.05.2017, no useful purpose would be served in keeping the petitioner behind bars. At this stage, without commenting on the merits of the case, the instant petition is allowed and the petitioner is directed to be released on regular bail on execution of adequate personal bond and surety bond to the satisfaction of concerned trial Court/Duty Magistrate.

December 22, 2017

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(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No