

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

**CRM No.M-6022 of 2017  
Decided on: 28.02.2017**

Sukha Singh

....Petitioner

Versus

State of Punjab

....Respondent

**CORAM: HON'BLE MRS JUSTICE REKHA MITTAL**

**Present :** Mr. Sukhbir Maandi, Advocate for the petitioner.

**REKHA MITTAL, J. (Oral)**

Heard.

Notice of motion.

Mr. Ankur Jain, AAG, Punjab accepts notice on behalf of the respondent.

The petitioner prays for grant of regular bail under Section 439 of the Code of Criminal Procedure (in short 'Cr.P.C.') in FIR No.143 dated 01.10.2014, for offence punishable under Sections 363, 366-A and 120-B of the Indian Penal Code (in short 'IPC') and Sections 4 and 6 of the Protection of Children from Sexual Offences Act, 2012 (Section 376 added later) registered in Police Station Sarhali, District Tarn Taran.

Counsel for the petitioner has submitted that the prosecutrix and the petitioner had an affair in pursuance whereof they performed marriage against wishes of parents of the prosecutrix. The petitioner and the prosecutrix filed a joint petition seeking protection to their life and liberty and the same was decided by this Court on

30.09.2014 vide order Annexure P2. It is further submitted that the prosecutrix has already been examined as a witness and she failed to connect the accused with the crime and was declared hostile. It is further submitted that the petitioner is ready to face the trial without any default but otherwise conclusion of trial may take some time.

Counsel for the State has not disputed the factual assertions.

I have heard counsel for the parties, perused the paperbook and the records.

Without commenting upon merits of the case, the petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing bail bonds to the satisfaction of the trial Court. However, he shall abide by the following conditions:-

- (i) He shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him/her from disclosing such facts to the Court or to any police officer; and*
- (ii) He shall not leave India without the previous permission of the Court.*

28.02.2017  
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(REKHA MITTAL)  
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable:

Yes/No