

In the High Court of Punjab and Haryana at Chandigarh

CRM -M-684 of 2017

Date of Decision: 18.1.2017

Sukhdev Singh

---Petitioner

versus

State of Punjab

---Respondent

Coram: Hon'ble Mrs. Justice Rekha Mittal

Present: Mr. B.S.Randhawa, Advocate
for the petitioner
Mr. Mikhail Kad, AAG, Punjab

Rekha Mittal, J.

The petitioner prays for grant of regular bail in FIR No. 159 dated 19.11.2016 registered at Police Station, Bassi Pathana, District Fatehgarh Sahib for offence punishable under Sections 363, 366-A, 366 of the Indian Penal Code (in short "IPC").

Counsel for the petitioner has submitted that the instant FIR was registered on the statement of Lakhbir Singh, father of the alleged kidnapped girl. The alleged kidnapped girl aged about 17 years got recorded her statement under Section 164 Cr.P.C. wherein she has not levelled any allegation against the petitioner and rather stated that on 17.11.2016 her parents gave her beatings and she left her house on 18.11.2016 at about 10.30 a.m., went to the bus stand, asked the petitioner to accompany her but he refused. It is further submitted that on completion of investigation, challan has already been presented, therefore custodial interrogation of the petitioner is no longer required. The last submission

made by counsel is that the petitioner is ready to face the proceedings without any default.

Counsel for the State of Punjab, on instructions from ASI Balbir Singh, has conceded to the factual assertions but opposed the bail application with the submission that charge is yet to be framed.

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

The petitioner was arrested in the case on 20.11.2016 and has been remanded to judicial custody. The investigation is already complete and challan has been presented in the Court. There are no allegation that the petitioner is likely to flee from the process of justice in case released on bail.

Without commenting on merits of the case, petitioner is ordered to be released on bail subject to satisfaction of the trial court. However, he shall abide by the following conditions:-

- (i) He shall not offer any threat, promise or inducement to any person acquainted with the facts of the case so as to dissuade him from disclosing the same to the Investigating Officer/Court; and
- (ii) He shall not leave the limits of this country without prior permission of the Court.

(Rekha Mittal)
Judge

18.1.2017
PARAMJIT

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No