

Criminal Misc. M- No. 8250 of 2017 (O&M)

Date of decision : May 22, 2017

Vikram Singh @ Rimpay

.....Petitioner

Versus

State of Punjab

....Respondent

CORAM:- HON'BLE MRS. JUSTICE LISA GILLPresent: Mr. Sumeet Puri, Advocate
for the petitioner.

Mr. Deep Singh, AAG, Punjab.

LISA GILL, J.

Prayer is for bail pending trial to the petitioner in FIR No. 9 dated 30.01.2017 registered under Section 363, 366A IPC at Police Station Khanauri, District Sangrur.

It is contended that the petitioner has been falsely implicated in this case as he solemnised marriage with the complainant's daughter on 11.12.2016. The petitioner and the complainant's daughter had approached this Court by way of CRM-M No. 375 of 2017 seeking protection of their life and liberty as they apprehended danger thereto at the hands of the complainant and her family members. The above said petition was disposed of by this Court on 11.01.2017 with a direction to the SHO, Police Station Khanauri Mandi, District Sangrur that in case any representation is filed by the petitioners therein for protection of their life and liberty, action in accordance with law be taken.

It is submitted that the complainant's daughter in her statement under Section 164 Cr.P.C. has affirmed that she solemnised marriage with the petitioner. The alleged victim is presently lodged at Nari Niketan,

Jalandhar because she refused to accompany her parents as she apprehended danger to her life and liberty at their hands. It is submitted that as per the Adhaar Card of the complainant's daughter, her date of birth is 26.01.1998. It is, thus, a debatable issue whether the complainant's daughter was a minor at the time of occurrence. The petitioner, it is submitted, is in custody since 10.02.2017. Final report under Section 173 Cr.P.C. has already been presented. It is, thus, prayed that this petition be allowed.

Learned counsel for the State, on instructions, from ASI Birbal Singh, Police Station Khanauri Mandi, District Sangrur verifies that the complainant's daughter, the alleged victim, is indeed lodged at the Nari Niketan, Jalandhar. Her statement under Section 164 Cr.P.C. as referred to above has not been denied. It is further affirmed that final report under Section 173 Cr.P.C. has been presented and the petitioner is not involved in any other criminal case.

The trial, in this case, is not likely to conclude in the near future. The petitioner is not involved in any other criminal case. 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. 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 bonds 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.

May 22, 2017
rts

(Lisa Gill)
Judge

Whether speaking/reasoned : Yes

Whether reportable : Yes/No