

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-17448 of 2018
Date of Decision: 31.05.2018

Sohan Singh

....Petitioner

VERSUS

State of Punjab

....Respondent

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Prashant Vashisht, Advocate
for the petitioner.

Mr. Amandeep Singh Gill, Sr. DAG, Punjab.

SURINDER GUPTA, J.(Oral)

The present petition has been filed under Section 439 Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No.82 dated 13.03.2018 registered for the offence punishable under Section 370-A of Indian Penal Code (for short, "IPC") at Police Station Division No. 1, Ludhiana City, District Ludhiana.

Heard.

As per allegation in the FIR, Sarabjit, husband of complainant, sold his newly born male baby to a lady against wishes of complainant, his wife. That lady was later on nominated as Madhu Rani.

Allegation against the petitioner is that he was a mediator in that sale and got ₹11,000/- for facilitating the transaction between Sarabjit and Madhu Rani.

Learned counsel for the petitioner submits that Madhu Rani has already been released on bail by Court of Additional Sessions Judge, Ludhiana vide order dated 18.05.2018.

Learned State counsel endorsed the submission of learned counsel for the petitioner regarding release of Madhu Rani on bail.

In view of above but without expressing any opinion on merits of the case and keeping in view the fact that conclusion of trial will take considerably long time, the present petition is allowed. Petitioner-Sohan Singh is ordered to be released on regular bail on furnishing bail bond and surety bond to the satisfaction of concerned trial Court/Chief Judicial Magistrate/Duty Magistrate, subject to following terms:-

- (a) The petitioner shall comply with the conditions mentioned in Section 437(3) Cr.P.C.
- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn. The trial Court shall be competent to cancel his bail bond and surety bond and proceed to procure his presence in accordance with law. In that eventuality the petitioner shall have to apply for bail afresh.
- (c) He shall not leave the country without the previous permission of the Court.

May 31, 2018
jk

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No