

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

**CRM-M-18567-2018
Date of decision: 10.05.2018**

Sagar Kanda

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. B. S. Bhalla, Advocate,
for the petitioner.

Mr. A. S. Sandhu, Addl. A. G., Punjab.

JAISHREE THAKUR, J. (Oral)

This petition has been filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No. 86 dated 23.05.2017, registered under Sections 376, 376-D, 494, 495, 328, 323, 120-B and 420 of the IPC (Sections 11 and 12 of the SC/ST Act added later on) at Police Station City South Moga, District Moga.

It is contended by learned counsel for the petitioner that the petitioner has falsely been implicated in this case and he is in custody since 30.11.2017. In fact, the petitioner herein and the complainant are a run away couple who performed their marriage on 04.10.2016 at Gurudwara Shaheed Baba Mehma Singh Ji, Moga according to Sikh rites and rituals. Thereafter, they sought protection from the Court of Sessions Judge, Moga which was allowed to them by order dated 04.10.2016 (Annexure P-2). It is subsequent thereto that the aforesaid FIR has been registered at the behest of the complainant-wife with false allegations. Counsel for the petitioner submits that since the trial is likely to take some time, the petitioner herein should be

enlarged on regular bail.

Mr. A. S. Sandhu, Addl. A. G., Punjab, has appeared on behalf of respondent-State and contested the bail application. He opposes the grant of regular bail to the petitioner by submitting that the offences are serious in nature.

I have heard learned counsel for the parties.

Since the petitioner is in custody since 30.11.2017 and the trial is likely to take some time, no useful purpose would be served in keeping him in custody furthermore. Hence, the present petition is accepted. The petitioner is ordered to be released on regular bail on his furnishing bail bonds and surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

However, any opinion expressed herein is for the purpose of grant of regular bail and not an opinion on the merits of the case.

10.05.2018

Waseem Ansari

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No