

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

CRM-M-29690-2018

Date of decision: 09.08.2018

Gursahib Singh @ Sajjan

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: Mr. S.P. Soi, Advocate,
for the petitioner.

Ms. Rajni Gupta, Sr. DAG, Punjab.

JAISHREE THAKUR, J. (ORAL)

This is a petition that has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No. 72 dated 15.06.2018 under Sections 363, 366 IPC, registered at Police Station Verowal, District Tarn Taran.

Learned counsel appearing on behalf of the petitioner would contend that the petitioner has been in custody since 15.06.2018 and in fact statement under Section 164 Cr.P.C. of the prosecutrix has been recorded wherein she has stated that she would like to marry with the petitioner herein while refusing to go back to her parents home on account of the fact that she apprehended a danger to her life and liberty at the hands of her parents.

Learned counsel appearing on behalf of the respondent-State does not dispute the statement of the prosecutrix that has been recorded under Section 164 Cr.P.C. wherein she has expressed a desire to continue to stay with the petitioner herein while submitting that a false case had been registered against him.

I have heard learned counsel for the parties.

In view of the fact that the prosecutrix who is major has categorically submitted in her statement under Section 164 Cr.P.C. that she would like to reside with the petitioner and he has been falsely implicated, the present petitioner is entitled to be enlarged on regular bail. Without expressing any opinion on merits of the case, the petitioner is ordered to be released on regular bail on furnishing bail bonds and surety bonds to the satisfaction of Chief Judicial Magistrate/Duty Magistrate, concerned subject to following terms:-

- (i) The petitioner shall comply with the conditions mentioned in Section 437(3) Cr.P.C.
- (ii) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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 accused shall have to apply for bail afresh before the trial Court.

(iii) He shall not leave the country without the previous permission of the Court.

09.08.2018

Satyawan

Whether speaking/reasoned
Whether reportable

(JAISHREE THAKUR)
JUDGE

Yes.
No.