

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

Criminal Misc. No.M- 31083 of 2017(O&M)

Date of Decision: January 16 , 2018.

Joginder Singh @ Gogi

..... PETITIONER (s)

Versus

State of Punjab

..... RESPONDENT (s)

CORAM:- HON'BLE MRS.JUSTICE LISA GILL

**Present: Mr. Avtar Singh Bhatti, Advocate
for the petitioner.**

Ms. Seena Mand, DAG, Punjab.

**Mr. Sandeep Arora, Advocate
for the complainant.**

- 1. Whether reporters of local papers may be allowed to see the judgment?**
- 2. To be referred to the reporters or not?**
- 3. Whether the judgment should be reported in the digest?**

LISA GILL, J.

Prayer in this petition is for grant of anticipatory bail to the petitioner in FIR No.243 dated 07.11.2014 under Sections 376/380/323/342/363/366A/120B IPC, registered at Police Station Salem Tabri, Ludhiana.

It is contended that the present petition has no role to play in this case and has unnecessarily been involved. Even as per the allegations levelled by the victim in her affidavit dated 25.03.2015 (Annexure P4), it is stated that the present petitioner accompanied the victim and co-accused Mohit with whom

she was forced to solemnize marriage. It is further submitted that final report under Section 173 Cr.P.C. has since been presented. It is submitted that the petitioner, who is not involved in any other criminal case, has joined investigation. The petitioner undertakes to face the proceedings and not misuse the concession of anticipatory bail, if afforded to him. Therefore, it is prayed that this petition be allowed.

Learned counsel for the complainant is unable to deny the factual position regarding the nature of allegations against the petitioner.

Learned counsel for the State, on instructions from ASI Jatinder Kumar, verifies that the petitioner has joined investigation. Final report under Section 173 Cr.P.C. has since been presented. The petitioner, it is verified, is not involved in any other criminal case.

There are no allegations on behalf of the State that the petitioner is likely to abscond or that he is likely to dissuade the witnesses from deposing true facts before the Court, if released on bail.

Keeping in view the facts and circumstances as above but without commenting upon or expressing any opinion on the merits of the case, this petition is allowed. Consequently, order dated 30.08.2017 is made absolute.

It is clarified that none of the observations made hereinabove shall be construed to be a reflection on the merits of the case. The same are solely confined for the purpose of decision of the present petition.

January 16 , 2018.
'om'

(LISA GILL)
JUDGE

Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No