

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

CRM-M-33297-2018

Date of decision: 09.08.2018

Maan Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: Mr. R.S.Chugh, 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. 154 dated 04.06.2018 under Sections 376, 328, 120-B IPC, registered at Police Station Division No.1, Ludhiana.

Learned counsel appearing on behalf of the petitioner would contend that petitioner herein has been in custody since 05.06.2018. He further submits that a reading of the FIR clearly reflects that there are no allegations of offence under Section 376 IPC against him. In fact, all allegations are against one Major Sindhu, who wanted to marry the complainant.

Learned counsel appearing on behalf of the respondent-State opposes the grant of regular bail to the petitioner herein while submitting that challan has been presented in the Court.

I have heard learned counsel for the parties.

In view of the fact that there is no specific allegation of offence under Section 376 IPC against the petitioner and he has been in custody since 04.06.2018, 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- (ii) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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.