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

Crl. Misc. M-46326 of 2018 (O&M)
Date of Decision: October 26, 2018

Harpreet Singh

...Petitioner

Versus

State of Punjab and another

...Respondents

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Manoj Pundir, Advocate
for the petitioner.

Mr. Ajay Pal Singh Gill, DAG Punjab.

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JAISHREE THAKUR, J. (Oral)

The instant petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No.113 dated 08.07.2018, under Sections 363, 366-A of Indian Penal Code, registered at Police Station Beas, District Amritsar.

Learned counsel for the petitioner herein contends that the allegations as set out in the FIR are patently false. It is argued that the prosecutrix has suffered a statement that she was having love affair and wanted to marry the petitioner and her parents were against the affair and marriage. It is submitted that the affidavit furnished by the prosecutrix would also reveal that she has solemnized a marriage with the petitioner on 04.06.2018 according to Hindu rites and ceremonies at Ludhiana. It is also submitted that the custody of the prosecutrix has been handed over to her

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parents-in-law on 17.08.2018 by the Chief Judicial Magistrate, Jalandhar. It is also contended that investigation is complete in the matter, as nothing is to be recovered from him, therefore, the petitioner is entitled to be enlarged on bail.

Per contra, learned counsel appearing on behalf of respondent-State, on instructions from the Investigating Officer, opposes the grant of regular bail to the petitioners, while submitting that the offences alleged against the petitioner are serious in nature.

I have heard learned counsel for the parties.

Since, the trial is likely to take some time and in view of the facts that the petitioner herein has been in custody and that investigation is complete in the matter, as nothing is to be recovered from him, no useful purpose would be served in keeping the petitioner behind bars. At this stage, without commenting on the merits of the case, the instant petition is allowed and the petitioner is directed to be released on regular bail on execution of adequate personal bond and surety bond to the satisfaction of concerned trial Court/Duty Magistrate.

(JAISHREE THAKUR)
JUDGE

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

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