

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

CRM-M-46736-2018 (O&M)

Date of Decision: 28.11.2018

Harjit Singh

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MRS. JUSTICE ANITA CHAUDHRY

Present: Mr. Karandeep S. Sidhu, Advocate
for the petitioner(s).

Ms. Jaspreet Kaur, A.A.G., Punjab
assisted by HC Bhagwan Singh.

ANITA CHAUDHRY, J

Petitioner is seeking regular bail in FIR No.116 dated 09.06.2018 registered under Sections 376, 420, 506, 120-B IPC and at Police Station Zira, District Ferozepur.

Learned counsel for the petitioner contends that the petitioner is in custody since 10.06.2018 and the examination-in-chief of the prosecutrix has been recorded. Counsel states that the complainant alleges that the prosecutrix took gold ornaments and some cash and handed it over to the accused who took her on a motorcycle. Counsel states that they had been travelling together and stayed together for 5 months. Counsel submits that no missing report was lodged by the parents and the statement of the prosecutrix could not be completed as an application under Section 319 Cr.P.C. has been filed.

Learned State counsel informs that the petitioner is a married man and the FSL report is awaited.

A perusal of the statement given by the prosecutrix shows that the victim had alleged that she was forcefully taken to the Courts and they had applied for a marriage certificate. She had also stated that later on she came to know that that the accused was already married and he wanted to divorce the first wife. The petitioner and the prosecutrix stayed in the Gurudwara and had travelled to different places. The prosecutrix had given her age as 19 years. The trial would take time as the relatives of the petitioner are now sought to be summoned. Without commenting anything on the merits of the case, petition is allowed. Petitioner is ordered to be released on bail on his furnishing surety and adequate bail bonds to the satisfaction of the Illaqa Magistrate/Duty Magistrate with a condition that the petitioner would not contact the prosecutrix or her family.

November 28, 2018

ps-I

**(ANITA CHAUDHRY)
JUDGE**

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No