

CRM-M-49363-2018

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

**CRM-M-49363-2018 (O&M)
Date of decision : 16.11.2018**

GURWINDER SINGH

.....Petitioner(s)

Versus

STATE OF PUNJAB

...Respondent(s)

CORAM: HON'BLE MRS. JUSTICE ANITA CHAUDHRY

Present: Mr. Amarjit Singh Sandhu, Advocate for the petitioner.

Ms. Jaspreet Kaur, AAG, Punjab.

ANITA CHAUDHRY, J.

The petitioner is seeking regular bail in FIR No. 53 dated 13.04.2018, registered under Sections 365, 363, 366-A IPC, Police Station Sadar Samana, District Patiala.

Counsel for the petitioner contends that the petitioner is in custody since 15.04.2018 and investigation is over and challan has been presented. The counsel further submits that the girl was over 17 years of age and she was missing since 12.04.2018 and was recovered on 15.04.2018 and in the statement recorded under Section 164 Cr.P.C., she had stated that her parents were forcing her to marry someone and she had gone on her own and she had refused her medical and is now lodged in the Childrens Home.

The State counsel does not dispute the fact about the statement given by the prosecutrix under Section 164 Cr.P.C. and also that she is lodged in the Childrens Home at Jalandhar.

Considering the above but without commenting upon the merits of the case, the petition is allowed and the petitioner is directed to be released on regular bail on execution of adequate personal and surety bonds to the satisfaction of trial Court/Duty Magistrate with the condition that the petitioner would not approach the victim till the trial is over

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16.11.2018
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(ANITA CHAUDHRY)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No