

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

Criminal Misc. No.M- 49426 of 2017(O&M)

Date of Decision: March 09 , 2018.

Sukhjinder Singh

..... PETITIONER (s)

Versus

State of Punjab

..... RESPONDENT (s)

CORAM:- HON'BLE MRS.JUSTICE LISA GILL

Present: Mr. Nitin Rampal, Advocate
for the petitioner.

Mr. Anmol Singh Sandhu, AAG, Punjab.

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.

The petitioner prays for bail pending trial in FIR No.152 dated 17.10.2017 under Sections 363/366A/120B IPC and Section 3/4 of the Protection of Children from Sexual Offences Act, 2012, registered at Police Station Gurusahai, District Ferozepur.

As per allegations in the FIR registered on the statement of the mother of the alleged victim, the complainant's daughter was enticed by one Rajwinder Singh, co-accused on the pretext of performing marriage in connivance with the present petitioner. The victim is stated to be 17 years old.

Learned counsel for the petitioner submits that the alleged victim in this case has since been recovered. Her statement under Section 164 Cr.P.C. was recorded on 01.02.2018 wherein the victim stated that she is 17 years old. She left her parental home out of her own free will and has solemnized marriage with co-accused Rajwinder Singh. No role, it is submitted, has been attributed to the present petitioner. It is submitted that the petitioner has been in custody since 22.10.2017 and is not involved in any other criminal case. He undertakes not to misuse the concession of bail, if afforded to him. It is thus prayed that this petition be allowed.

Learned counsel for the State, on instructions from ASI Gurbachan Singh, verifies that the victim in this case has been recovered and she has suffered a statement under Section 164 Cr.P.C. on 01.02.2018 as noted above. It is further verified, on instructions from ASI Gurbachan Singh, that the petitioner is not involved in any other criminal case.

Trial in this case is not likely to conclude in the near future. No useful purpose would be served by keeping the petitioner incarcerated any longer in the present facts and circumstances of this 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 of the case but without commenting upon or expressing any opinion on the merits thereof, this petition is allowed. The petitioner be released on bail pending trial subject to his furnishing requisite bail bonds and surety to the satisfaction of the learned Trial Court.

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.

March 09 , 2018.
'om'

(LISA GILL)
JUDGE

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