

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

CRM-M-376-2019

Date of decision: January 14, 2019

Sukhwinder Singh @ Krishna Shergill

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Mr. Suneet Pal Singh Aulakh, Advocate
for the petitioner.

Mr. V.G. Jauhar, Senior DAG, Punjab.

RAJ SHEKHAR ATTRI, J.(ORAL)

The present petition has been filed under Section 439 Code of Criminal Procedure for grant of regular bail to petitioner-Sukhwinder Singh @ Krishna Shergill in case FIR No.36 dated 27.01.2018 registered under Sections 363/366 and 376/498 of the Indian Penal Code, 1860 (for short, 'IPC') added later on at Police Station Sultanpur Lodhi, District Kapurthala, Punjab.

Heard.

Sh. Tejinder Singh lodged a report with regard to abduction of his wife (prosecutrix herein), aged about 35 years. Reliance has been placed upon the statement of the prosecutrix where she appeared as PW-4 during the trial. She categorically admitted that the petitioner was a music teacher and she has been taking tuition and nothing wrong has been played with her. She cross-examined at length but nothing has been found at this stage to connect the accused with crime. Petitioner is in custody since 10.03.2018. It will take some time to conclude the trial.

Without expressing any opinion on merits of the case and keeping in view the fact that conclusion of trial will take considerably long time, the present petition is allowed. Petitioner is ordered to be released on regular bail on furnishing bail bond and surety bond to the satisfaction of concerned trial Court/Chief Judicial Magistrate/Duty Magistrate subject to following terms:-

- (a) The petitioner shall comply with the conditions mentioned in Section 437(3) Cr.P.C.
- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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 petitioner shall have to apply for bail afresh.
- (c) He shall not leave the country without the previous permission of the court.

(RAJ SHEKHAR ATTRI)
JUDGE

January 14, 2019

m. sharma

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No