

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

CRM-M No.1677 of 2019

Date of decision: 23rd January, 2019

Ravinder Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present: Mr. Harchand S. Batth, Advocate for the petitioner.

Mr. A.S. Sandhu, Addl. Advocate General, Punjab
for the respondent/State.

FATEH DEEP SINGH, J. (ORAL)

This order shall dispose off first regular bail application of petitioner Ravinder Singh under Section 439 Cr.P.C. in case bearing FIR No.63 dated 11.11.2009 under Sections 363, 366-A, 120-B IPC pertaining to Police Station Kathgarh, District SBS Nagar.

Present case was got registered by complainant Salim, father of a minor girl alleged to be aged around 14 years at the time of this occurrence, which took place on 07.11.2009. In his complaint, he alleged that on the said day, the daughter of the complainant had gone missing leading to registration of the present case. Subsequently, the petitioner and the girl entered into wedlock and have been bestowed with two children.

Learned counsel for the petitioner Mr. Harchand Singh Batth at the very onset has sought to place reliance on statement of the victim girl as PW1 (Annexure P3) made on oath before the trial Court where she has reiterated her stand of having married the petitioner and being bestowed with children, arguing further that the petitioner is behind bars for almost eight months.

On behalf of the State, Mr. A.S. Sandhu, learned Addl. Advocate General, Punjab on instructions from ASI Rampal, Police Station Kathgarh, District SBS Nagar does not dispute the contentions made before this Court by learned counsel for the petitioner but has opposed grant of bail on the grounds of heinousness of the offense.

Appreciating the arguments of the two sides, the own stand of the victim as PW1 which is a statement made on oath before the trial Court, substantiates the averments of the learned counsel for the petitioner that the petitioner and the victim have married each other and are having two kids out of this marriage and are living happily. The petitioner is behind bars since a long time. Trial is not likely to conclude in the near future, therefore this Court is of the opinion that no useful purpose will be served by keeping the petitioner in custody in the present case. Accordingly, he is ordered to be released on regular bail to the satisfaction of Chief Judicial Magistrate/Duty Magistrate, S.B.S. Nagar.

However, it is made clear that anything observed herein shall not be construed as an expression on the merits of the case.

The petition stands disposed off accordingly.

(FATEH DEEP SINGH)
JUDGE

January 23, 2019
rps

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