

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

224

CRM-M-9440-2019

Date of Decision:06.03.2019

Avtar Singh alias Tari alias Soni

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR.JUSTICE HARI PAL VERMA.

Present: Mr. L. S. Sekhon, Advocate,
for the petitioner.

Mr. Jagmohan Ghumman, D.A.G., Punjab.

HARI PAL VERMA, J.(Oral)

Prayer in this petition filed under Section 439 Cr.P.C. is for grant of regular bail to the petitioner in FIR No.14 dated 26.03.2013 under Sections 363, 366-A IPC, registered at Police Station Kot Dharmu, District Mansa.

Learned counsel for the petitioner states that the allegation against the petitioner is that he has enticed the daughter of the complainant on the pretext of marrying her. The petitioner solemnized the marriage with the victim and resided together since 2013 as husband and wife. He further states that though the petitioner was declared proclaimed offender on 28.09.2015, but he has surrendered on 15.12.2018 and since then he is in custody.

Learned State Counsel submits that on the relevant date, when

the victim was enticed away by the petitioner, she was minor, aged about 15

years, though she is major as on date. Therefore, the petitioner is not entitled for the concession of bail. He further states that challan in the case has been presented but the charges have not been framed.

Heard learned counsel for the parties.

Admittedly, the petitioner was declared proclaimed offender on 28.09.2015, but thereafter he has surrendered before the trial court on 15.12.2018 and since then he is in custody. The victim is staying as a family member in the house of the petitioner as his wife and trial in the case will take sufficient long time, this Court deems it appropriate to admit the petitioner on regular bail.

Accordingly, the present petition is allowed and the petitioner is admitted on regular bail, subject to furnishing of his bail bonds/surety bonds to the satisfaction of trial Court.

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

March 06, 2019
seema

(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No