

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-37711-2018

Date of Decision: 08.01.2019

Varinder Singh

.... Petitioner

Versus

State of Punjab

.... Respondent

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

Present: - Mr. Jagjit Singh, Advocate for the petitioner.

Mr. Davinder Bir Singh, DAG, Punjab.

RAMENDRA JAIN, J. (ORAL)

Through this petition under Section 439 Cr.P.C., petitioner-Varinder Singh, has prayed for grant of regular bail in case FIR No. 28 dated 29.05.2018 registered under Sections 363 and 366-A IPC at Police Station Dhilwan, District Kapurthala.

According to the prosecution, on 25.05.2018, the petitioner had kidnapped/abducted minor daughter of the complainant from his lawful guardianship by inducing her to perform marriage with her.

Learned counsel *inter alia* contends that the petitioner is in custody since, 10.06.2018. Final report under Section 173(2) Cr.P.C., has already been filed. Framing of charge and conclusion of trial may take long time. No useful purpose would be served by detaining the petitioner in custody. In fact, the prosecutrix had allured the petitioner to marry him. He never kidnapped, abducted or induced the prosecutrix from her lawful guardianship.

On instructions from ASI Balwinder Singh, learned State counsel submits that the prosecutrix in her statement dated 11.06.2018, recorded under Section 164 Cr.P.C., deposed that the petitioner had not kidnapped her. She left her parental house on her own. She wants to marry the petitioner.

Considering overall facts and circumstances, but without expressing any opinion on the merits of the case, the petition is allowed. Consequently, petitioner-Varinder Singh, is ordered to be released on bail pending trial, on his furnishing bail and surety bonds to the satisfaction of Trial Court/Duty Magistrate concerned.

January 08, 2019
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(RAMENDRA JAIN)
JUDGE

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No