

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-26753 of 2019
Date of Decision: 17.7.2019

Sunil Kumar @ Mani

....Petitioner

VERSUS

State of Punjab

....Respondent

CORAM:- HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Mr. Mandeep K. Dhot, Advocate
for the petitioner (s).

Mr. Sandeep Kumar, DAG, Punjab.

RAJ SHEKHAR ATTRI, J.

The present petition has been filed under Section 439 Code of Criminal Procedure (in short, “Cr.P.C”.) for grant of regular bail to the petitioner in case FIR No.236 dated 12.9.2018 registered for the offences punishable under Sections 363, 366 of Indian Penal Code (for short, “IPC”) at Police Station Kotwali, District Patiala.

Heard.

Learned counsel for petitioner submits that both the petitioner and the prosecutrix had left the house together. The prosecutrix was recovered. She suffered a statement (Annexure P-3) before the Magistrate on 16.9.2018 to the effect that she had gone with the petitioner with her mutual consent and both of them had got married. She has categorically stated that the petitioner did not force and compel her in any way. Even she suffered a statement (Annexure P-2) before the police on 16.9.2018 to this

Learned State counsel has submitted that the challan has been submitted.

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-Sunil Kumar alias Mani son of Rakesh Kumar is ordered to be released on regular bail on furnishing bail bond and surety bond to the satisfaction of the 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- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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 prior permission of the Court.

July 17, 2019

Paritosh Kumar

**(RAJ SHEKHAR ATTRI)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No