

CRM-M-27924-2019

Date of Decision : 10.07.2019

Sukhdev Singh

.....Petitioner

versus

State of Punjab

....Respondent

CORAM : HON'BLE MR. JUSTICE FATEH DEEP SINGH**Present:** Mr. Kulwant Singh, Advocate
for the petitioner.Mr. H.S. Grewal, Addl.A.G., Punjab
for the respondent-State.**FATEH DEEP SINGH, J. (ORAL)**

This order shall dispose off first regular bail application under Section 439 Cr.P.C in a case bearing FIR No.21 dated 02.03.2019 filed under Sections 363 and 366 of the Indian Penal Code registered at Police Station Payal, District Khanna.

The allegations against petitioner-Sukhdev Singh in this bail application are to the fact that daughter of complainant-Chaman Ram, aged around 22 years, went missing on 25.02.2019 and had subsequently, transpired that she has eloped with principal accused/non-applicant-Jaspal Ram @ Pala, leading to the registration of the present case.

The allegations against the petitioner who was arrested on 03.03.2019 are that during the intervening night of 25th/26th, March, 2019,

the principal accused and the prosecutrix stayed at his place and he facilitated in their elopement.

Learned counsel for the petitioner contends that the co-accused-Ramandeep Singh has been granted bail by this Court vide order dated 17.05.2019 and no specific role has been attributed to the petitioner in the commission of offence who is behind the bars since almost four months.

The learned State counsel, on instructions from ASI Sikander Raj, Police Station Payal, District Khanna, concedes to the facts that have been canvassed at the bar by learned counsel for the petitioner but has opposed the grant of bail on the ground of seriousness of the allegations.

Appreciating the submissions and as is the own story of the prosecution except the fact that the boy and the girl after elopement stayed for one night at his place and no role is attributed to the petitioner. The petitioner is behind the bars since long time, thus, culpability, if any, shall be determined at the trial, this Court is of the opinion that it would serve no useful purpose to further detain the petitioner in custody. Accordingly, he is ordered to be released on regular bail to the satisfaction of the Chief Judicial Magistrate/Duty Magistrate/Illaq Magistrate of the Court concerned.

The petition stands disposed off accordingly.

10.07.2019
Neha

(FATEH DEEP SINGH)
JUDGE

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No