

CRM-M-31581-2019

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

CRM-M-31581-2019.

Decided on: August 21, 2019.

Gurpreet Singh @ Kaka and another

.. Petitioners

VERSUS

State of Punjab

.. Respondent

*** * ***

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

*** * ***

**PRESENT Mr.Vaibhav Narang, Advocate,
for the petitioners.**

Mr.Saurav Khurana, DAG, Punjab.

HARI PAL VERMA, J. (ORAL)

Prayer in the present petition filed under Section 439 Cr.P.C. is for the grant of regular bail in FIR No.87 dated 7.5.2019, under Sections 376 and 506 IPC, registered at Police Station, Majitha, District Amritsar Rural.

Learned counsel for the petitioners states that the petitioners are in custody since May 2019 and the prosecutrix/victims have not supported the case of the prosecution. He refers to the compromise Annexure P2 and affidavit of Raghubir Singh, father of the prosecutrix, Annexure P3, wherein it has been stated that with the intervention of the

respectables, she has entered into a compromise with Gurpreet Singh and similarly, father of the prosecutrix has made a statement (Annexure P3) stating that the matter has been compromised between the parties.

I have heard learned counsel for the petitioners as well as the learned State counsel.

When this Court put a specific question whether the prosecutrix made a statement under Section 164 Cr.P.C., State counsel, on instructions from ASI Bhupinderjit Kaur, has produced photocopy of the statement dated 19.6.019, made by the prosecutrix under Section 164 Cr.P.C., wherein she has not supported the case of the prosecution. Similar statement has been made by another victim.

In view of above, considering the fact that the petitioners are in custody since May 2019 and the trial is not likely to be concluded in near future coupled with the fact that the prosecutrix/victims have not supported the case of the prosecution, rather, have compromised the matter, this Court deems it appropriate to admit the petitioners on bail.

Accordingly, the petition is allowed. The petitioners are ordered to be released on bail subject to their furnishing bail bonds/surety bonds to the satisfaction of the trial Court.

August 21, 2019.
raj arora

(HARI PAL VERMA)
JUDGE

Whether speaking / reasoned
Whether reportable

Yes / No
Yes / No