

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM M-32002 of 2019

Date of Decision: August 13, 2019

Sukhjeet Singh @ Jeeta

.....Petitioner

Versus

State of Punjab

.... Respondent

CORAM : HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present : None for the petitioner.

ASI Balwinder Singh, Police Station Sadar Moga in
person.

FATEH DEEP SINGH, J. (Oral)

The lawyer are abstaining from work indefinitely.

This order shall dispose off first regular bail application
under Section 439 Cr.P.C. moved in FIR No. 28 dated 13.04.2019
under Sections 363 and 366-A IPC and Section 4 of the Protection of
Children from Sexual Offence Act, 2012 and Section 376 IPC (added

later on), Police Station Sadar Moga, District Moga.

The precise allegations against accused/petitioner Sukhjeet Singh @ Jeeta have been levelled by Kulwant Kaur, mother of unmarried girl aged around 17 years alleged that on 12.04.2019 while she had gone out of the house and her daughter was present therein, and when she returned back, she found the girl missing. Subsequently, it was revealed that the girl has eloped with accused/petitioner and returned back on her own on 14.04.2019 and during that period she was defiled by co-accused non/applicant Sikhandar Singh leading to the arrest of the accused/petitioner on 03.05.2019.

Upon perusal of the records and as has been submitted by ASI Balwinder Singh, Police Station Sadar Moga, District Moga that even in her statement under Section 164 Cr.P.c. victim has not attributed any role to the petitioner in the commission of offence and has rather levelled allegations of rape against co-accused non/applicant Sikhandar Singh and has detailed that the present petitioner was not involved in any offence of her elopement or subsequent event that has led to her defilement.

The petitioner as has been stated at the bar by ASI Balwinder Singh is in custody since more than 3 months and culpability, if any, shall be determined at the time of the final disposal

of the trial, this Court is of the opinion that it is a fit case for grant of bail. Accordingly, the petitioner is ordered to be released on regular bail to the satisfaction of Chief Judicial Magistrate/Duty Magistrate, concerned.

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

Disposed off.

August 13, 2019
amit rana

(FATEH DEEP SINGH)
JUDGE

Whether reasoned/speaking : Yes/No

Whether reportable : Yes/No