

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

CRM-M-40135-2019

Date of decision:30.09.2019

JARNAIL SINGH

.....Petitioner

Versus

STATE OF PUNJAB

.....Respondent

CORAM : HON'BLE MR.JUSTICE GURVINDER SINGH GILL

Present: Mr. Amaninder Singh Sekhon, Advocate
for the petitioner.

Ms. Rashmi Attri, AAG, Punjab.

GURVINDER SINGH GILL, J. (ORAL)

1. The petitioner seeks grant of regular bail in case registered vide FIR No.53 dated 30.7.2019 under Sections 187, 363, 366-A, 376, 120-B IPC & Sections 3 & 4 of POCSO Act, Police Station Sadiq, District Faridkot.
2. The FIR was registered at the instance of Simarjit Kaur wherein it has been alleged that the house of the petitioner abuts the house of the complainant and that the house of Aasa Singh is also situated on the main road. It is alleged that Gursharan Singh grandson of Aasa Singh used to keep an evil eye on complainant's daughter and although efforts were made to reason out with him but he did not relent from his aforesaid conduct. It is alleged that Jarnail Singh (petitioner), Jagmeet Singh,

Sartaj Singh etc. used to support Gursharan Singh. It is further stated therein that Varinder Singh '*Sarpanch*' had taken signatures/thumb impression of complainant's husband and of her son Arshdeep Singh on stamp papers on the pretext of getting some grants issued but same were never issued. It is further alleged that on 27.7.2019, the complainant found her daughter Nabhpreet Kaur missing from home and although they searched for her but she could not be found. Later it transpired that even Gursharan Singh was missing from his house. The complainant thus suspected that her daughter had been enticed away by Gursharan Singh on the pretext of marrying her and that Jarnail Singh (petitioner), Jagmeet Singh, Sartaj Singh had helped Gursharan Singh in enticing away her daughter in a pre-planned conspiracy.

3. Learned counsel for the petitioner has submitted that he has falsely been implicated in the present case and that in any case the allegations of the alleged abduction are against co-accused Gursharan Singh and that the petitioner and others have been falsely implicated due to some grudge which the complainant nursed against them.
4. Learned State counsel has however opposed the petition and has submitted that Nabhpreet Kaur in her statement under Section 161 Cr.P.C. has specifically alleged that she was physically assaulted by the petitioner and by all other accused including Gursharan Singh and in these circumstances the petitioner does not deserve the concession of bail. It has however informed that the investigation stands completed and challan has been presented.
5. Having considered rival submissions addressed before this Court and

while noticing that the main allegations of abduction of the daughter of the complainant are against Gursharan Singh and that challan already stands presented, in my opinion, no fruitful purpose would be served by further detaining the petitioner behind bars. The petition, as such, is accepted and it is ordered that petitioner be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate, concerned.

6. It is, however, clarified that none of the observations made above shall be construed to be an expression on merits of the main case.

(GURVINDER SINGH GILL)
JUDGE

30.09.2019
Gaurav Sorot

Whether reasoned / speaking? Yes / No

Whether reportable? Yes / No