

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

CRM-M-44119-2019 (O&M)
Date of Decision:- 22.10.2019

Jaskaran Singh @ Nonni ... Petitioner

Versus

State of Punjab ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Prateek Pandit, Advocate for the petitioner.

Ms. Rashmi Attri, AAG, Punjab
assisted by L/S.I. Gurdeep Kaur.

GURVINDER SINGH GILL, J.

1. The petitioner has approached this Court seeking grant of regular bail in a case registered against him vide FIR No.73 dated 13.6.2019 under Sections 363/366-A/376 IPC and Sections 3,4 of POCSO Act at Police Station Sadar, District Jalandhar.
2. The FIR was registered at the instance of Shashi Bala, mother of the victim, wherein it has been alleged that she along with her daughters went to sleep during the night of 12.6.2019. It is alleged that during the course of night when she went to her daughter's room, she found her awake and upon enquiries made from her daughter, her daughter informed that she was not feeling sleepy. On the next day, her daughter was found missing. Despite search, she could not find her daughter. The complainant suspected that her daughter had been enticed away by Jaskaran Singh, who lives in the neighbourhood, on the pretext of marrying her daughter.

3. The learned counsel for the petitioner has submitted that the FIR came to be recorded due to some misunderstanding and that subsequently, the complainant furnished an affidavit (Annexure P-2) wherein she categorically deposed that upon enquiries, she had come to know that Jaskaran Singh i.e. the petitioner had never kidnapped or abducted her daughter. The learned counsel has further submitted that infact a petition for quashing of FIR on grounds of compromise has already been filed i.e. CRM-M-33025 of 2019.
4. Opposing the petition, the learned State counsel has submitted that during the course of investigation, the accused was found to have committed the offences and that challan already stands presented.
5. Having regard to the aforesaid facts and circumstances of the case and while bearing in mind the fact that challan already stands presented and that the matter is stated to have been compromised, no useful purpose would be served by further detaining the petitioner behind bars. The petition, as such, is accepted and the petitioner is ordered to be released on regular bail on his furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

22.10.2019

kamal

(Gurvinder Singh Gill)
Judge

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No