

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

CRM-M-45884-2019

Date of decision:28.11.2019

DHARAMJIT SINGH

.....Petitioner

Versus

STATE OF PUNJAB

.....Respondent

CORAM : HON'BLE MR.JUSTICE GURVINDER SINGH GILL

Present: Mr. Shivender Pal Singh, 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.46 dated 6.6.2017 under Sections 363, 366, 420 of Indian Penal Code & Section 3 of POCSO Act, Police Station Bhindi Saidan, District Amritsar.
2. The FIR was lodged at the instance of Karam Singh wherein it has been alleged that his daughter went missing from home on 26.4.2017 and despite efforts made by them, she could not be found. It is alleged that later he came to know that Dharamjit Singh (petitioner) had enticed away his daughter while alluring her into marriage.
3. Learned counsel for the petitioner has submitted that the complainant's

daughter had left her parental home out of her own accord and free will and had solemnized marriage with the petitioner and that after marriage they had also been blessed with a child and as on date, the complainant's daughter is comfortably residing in the house of the petitioner with her in-laws.

4. Opposing the petition, learned State counsel has submitted that since the complainant's daughter was minor and is still a minor, the offences in question clearly stand made out and in these circumstances the petitioner does not deserve the concession of regular bail. It has further been informed that although the petitioner had also been declared proclaimed offender but was subsequently arrested on 6.10.2019.
5. Without making any expression as regards merits of the case and keeping in view that the petitioner has been behind bars since 6.10.2019, his further detention will not serve any useful purpose as conclusion of trial, in its normal course, is likely to take some time. 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.

28.11.2019
Gaurav Sorot

(GURVINDER SINGH GILL)
JUDGE

Whether reasoned / speaking? Yes / No

Whether reportable? Yes / No