

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

CRM-M-49376-2019

Date of decision: 28.11.2019

AMRITPAL SINGH

.....Petitioner

Versus

STATE OF PUNJAB

.....Respondent

CORAM : HON'BLE MR.JUSTICE GURVINDER SINGH GILL

Present: Mr. Sukhmeet Singh, Advocate
for the petitioner.

Ms. Rashmi Attri, AAG, Punjab.

GURVINDER SINGH GILL, J. (ORAL)

1. The petitioner has approached this Court seeking grant of regular bail in respect of a case registered vide FIR No.41 dated 5.5.2019 at Police Station Ajitwal, District Moga under Sections 363 and 366-A of Indian Penal Code and Section 4 of POCSO Act, 2012.
2. The FIR was lodged at the instance of Simranjit Kaur, wherein it has been alleged that her minor daughter went missing from home on 4.5.2019 and that pursuant to inquiries made by them they strongly suspected that her daughter has been enticed away by Sanju @ Vasakha Singh, his mother Charanjit Kaur and Amritpal Singh (petitioner), who is step brother of the petitioner, on the pretext of solemnizing marriage.

3. The learned counsel for the petitioner has submitted that the petitioner has been falsely been implicated in the present case and the FIR has been lodged solely on the basis of suspicion and that immediately after the next day of lodging of the FIR, the prosecutrix was recovered and her statement was recorded in terms of Section 164 Cr.P.C., wherein she categorically stated that she had left her house on her own accord in order to marry Sanju @ Vasakha Singh, step brother of the petitioner.
4. Opposing the petition, the learned State counsel has submitted since there are specific allegations against the petitioner and the prosecutrix is a minor, no case for grant of bail is made out.
5. Having considered rival contentions addressed before this Court and bearing in mind the fact that the petitioner has been behind bars since 4.6.2019, further detention of the petitioner will not serve any useful purpose as the conclusion of trial will take some time. The petition, as such, is accepted and it is ordered that the petitioner is ordered to be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate, concerned.

(GURVINDER SINGH GILL)
JUDGE

28.11.2019
Gaurav Sorot

Whether reasoned / speaking? **Yes / No**

Whether reportable? **Yes / No**