

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

231

CRM-M-49596-2019

Date of Decision: 27.11.2019

Rajandeep Singh @ Rajan

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR.JUSTICE HARI PAL VERMA.

**Present: Mr. G.S. Sandhu, Advocate,
for the petitioner.**

Mr. Saurav Khurana, DAG, Punjab.

HARI PAL VERMA, J.(Oral)

Prayer in this petition filed under Section 439 Cr.P.C. is for grant of regular bail to the petitioner in FIR No.124 dated 05.09.2019 under Sections 363, 366-A IPC, registered at Police Station Khuian Sarwar, District Fazilka.

Learned counsel for the petitioner refers to the FIR registered at the behest of Gurmeet Singh, who is father of the victim.

As per FIR, the daughter of the complainant aged about 17 ½ years has passed her 10+2 class from the village school. For the last about 15 days, she has gone to her maternal grandfather's village Rukanpura Khui Khera. However, on the intervening night of 4/5.09.2019, Jangpreet Singh son of Gurmeet Singh resident of colony Sarawan Bodlan has enticed his daughter Anisha on the pretext of solemnizing marriage and since then she is missing. Efforts have been made to locate her but of no use.

Learned counsel for the petitioner has argued that there is no allegation against the petitioner that he is instrumental in enticing the daughter of the complainant in any manner. Moreover, petitioner is in custody since 24.09.2019. He submits that present is a case of love affair between the victim and Jangpreet Singh, if any. Trial in the case is not likely to be concluded in the near future.

Learned State Counsel, on instructions from HC Jagjeet Singh, does not dispute the custody. However, he submits that the complainant has submitted supplementary statement on 24.09.2019 and as per the said statement, petitioner as well as other co-accused have been nominated as accused in the case. Jangpreet Singh has enticed the daughter of the complainant on two motorcycles with the help of the petitioner along with other co-accused. In this manner, the petitioner has been nominated as an accused and he has specifically been named in enticing away the daughter of the complainant. He states that at this stage, it cannot be ruled out that the victim and Jangpreet Singh might have skipped to M.P. As they were left at Malaut railway station by the petitioner and co-accused. Thereafter, efforts are being made to visit M.P., so as to nab the other accused.

Heard learned counsel for the parties.

Admittedly, the petitioner is in custody since 24.09.2019. The allegation against the petitioner is that he has helped the main accused Jangpreet Singh in enticing the daughter of the complainant and he was present at the scene of occurrence on the relevant date. The whereabouts of the victim and Jangpreet Singh are not traceable. Trial in the case is not likely to be concluded in the near future. Therefore, this Court deems it appropriate to admit the petitioner on bail.

Accordingly, the present petition is allowed and the petitioner is admitted on regular bail, subject to his furnishing adequate bail bonds/surety bonds to the satisfaction of trial Court.

However, the observations made hereinabove shall not be construed as an expression on the merits of the case and the trial Court shall proceed with the trial independently without being influenced by the order of bail passed by this Court.

It is made clear that the petitioner shall not extend any threat and shall not try to influence any prosecution witnesses directly or indirectly in any manner.

November 27, 2019
seema

(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No