

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

218

CRM-M-570-2019

Date of Decision:15.01.2019

Ajay Kumar

.....Petitioner

Versus

State of Punjab

.....Respondent

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

Present: Mr. Sukhdeep Singh Sidhu, Advocate,
for the petitioner.

Mr. Rana Harjasdeep Singh, D.A.G., 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.269 dated 02.11.2018 under Sections 363, 366-A IPC, registered at Police Station Raman, District Bathinda.

Learned counsel while making reference to the FIR states that the FIR was registered at the behest of Pappu Singh, whose daughter has eloped with Gora Singh @ Raj Kumar. Merely because the petitioner is brother of Gora Singh @ Raj Kumar, is no ground to involve him in the case. He refers to the agreement (Annexure P-2) of the victim, who has stated that Gora Singh @ Raj Kumar was doing the work of seeding the cotton and was residing in Bathinda and had acquainted with the victim. The victim has come to Bharatpur and while taking a house with Gora Singh @ Raj Kumar started doing the work of labour. He has argued that as

per agreement (Annexure P-2), Gora Singh @ Raj Kumar is presently residing in village Tiktoli Gurjar Police Station Sumavati Pargana Jaura, District Muraina, M.P.

Learned State Counsel on instructions from ASI Kulwant Singh states that no doubt the petitioner is in custody since 02.11.2018, but the agreement (Annexure P-2) is of no relevance when the victim is minor as she is about 16 years of age. The role of the petitioner is doubted in the case.

I have heard learned counsel for the parties.

Considering the fact that the petitioner is in custody since 02.11.2018 and the allegation is basically against his brother Gora Singh @ Raj Kumar, who has allegedly eloped the victim and trial in the case will take sufficient long time, this Court deems it appropriate to admit the petitioner on regular bail.

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

However, petitioner shall not extend any threat to the witnesses directly or indirectly.

January 15, 2019
seema

(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No