

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

CRM M-49930 of 2019

Date of Decision: November 29, 2019

Mansroop Singh

.....Petitioner

Versus

State of Punjab

.... Respondent

CORAM : HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present : Mr. Veneet Sharma, Advocate
for the petitioner.

Mr. Pawan Sharda, Sr. DAG, Punjab.

FATEH DEEP SINGH, J. (Oral)

This order shall dispose off first regular bail application under Section 439 Cr.P.C. moved in FIR No. 101 dated 26.04.2019 under Sections 363, 366, 366-A, 120-B and 376 IPC, Police Station Beas, Amritsar Rural, District Amritsar.

The present case was got registered against petitioner-Mansroop Singh, who is in custody since 15.05.2019 on the complaint of Bhupinder Singh, father of the girl aged around 17 years and a student of +2 class. In his allegations, the complainant alleges that prior to the present occurrence in

the year 2018, his daughter was enticed and taken away by the accused and, thereafter, girl returned. However, the accused did not desist from doing so and on 22.04.2019 in the morning, the daughter of the complainant left the home and suspecting role of the accused present case was got registered by the father.

Mr. Veneet Sharma, learned counsel for the petitioner *inter alia* contends that the girl is a grown up lady and was admittedly in a long term relationship with the petitioner, which was not to the liking of the family and a false case has been got registered and has placed on record affidavit of the prosecutrix to this effect.

Mr. Pawan Sharda, Sr. DAG, Punjab on instructions of ASI Dev Singh does not dispute the facts but has opposed the grant of the bail on the grounds of heinousness of the allegations.

As the prosecutrix has appeared in the Court and identified by ASI Dev Singh and she has reiterated her stand detailed in her duly sworn attested affidavit and shown to the Court by making a statement that she does not object if the petitioner is allowed the concession of bail. In such a situation and the fact that the girl is above 17 years of age and admittedly left house with her consent with the petitioner, who is in custody since a long time and considering the fact that the trial is not likely to be concluded in near future, this Court is of the opinion that it is a fit case for grant of bail. Accordingly, the petitioner is

ordered to be released on regular bail to the satisfaction of Chief Judicial Magistrate/Duty Magistrate, concerned.

However, it is made clear that anything observed herein shall not be construed as an expression on the merits of the case.

Disposed off.

November 29, 2019

amit rana

(FATEH DEEP SINGH)

JUDGE

Whether reasoned/speaking : Yes/No

Whether reportable : Yes/No