

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

CRM-M-1224 2020 (O&M)
Date of Decision: January 17, 2020

Akashdeep Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Kuljit Kaur, Advocate
for the petitioner.

Mr. Davinder Bir Singh, DAG Punjab.

JAISHREE THAKUR, J. (Oral)

The instant petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No.142 dated 20.08.2019, under Sections 363, 366-A of Indian Penal Code, registered at Police Station City Kotakpura, District Faridkot, Punjab.

Learned counsel for the petitioner contends that the petitioner herein was taken into custody in the aforesaid FIR on 30.09.2019. It is submitted that the petitioner has been falsely implicated in the present case. It is argued that in fact, the petitioner and the prosecutrix were in love with each other and have solemnized a marriage on 09.07.2019 and also sought protection in this regard from the Sessions Judge, Faridkot (Annexure P-2). It is further submitted that even in her statement recorded under Section 164 Cr.P.C., the prosecutrix has specifically stated that she solemnized the marriage out of her free will and wanted to live with her husband i.e. the petitioner herein. It is also contended that investigation is complete, as the

challan has already been presented and conclusion of trial will take sufficient time, therefore, the petitioner is entitled to be enlarged on bail.

Per contra, learned counsel appearing on behalf of respondent-State, on instructions from the Investigating Officer, opposes the grant of regular bail to the petitioner, while submitting that the offences alleged against the petitioner are serious in nature, therefore, the petitioner is not entitled to grant of regular bail. However, he does not dispute the fact that challan has already been presented.

I have heard learned counsel for the parties.

Since, the trial is likely to take some time and in view of the facts that the petitioner herein has been in custody since 30.09.2019 and that investigation is complete, as the challan has already been presented, no useful purpose would be served in keeping the petitioner behind bars. At this stage, without commenting on the merits of the case, the instant petition is allowed and the petitioner is directed to be released on regular bail on execution of adequate personal bond and surety bond to the satisfaction of concerned trial Court/Duty Magistrate.

However, anything observed or said by this court is only for the purpose of deciding the instant petition for grant of regular bail and the same shall have no effect on the merits of the case.

January 17, 2020
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(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No