

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

CRM-M No.2715 of 2020 (O&M)

Date of decision: 8th June, 2020

Jaspreet Singh @ Jassa

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present: Mr. J.S. Dadwal, Advocate for the petitioner.

Mr. Sandeep Vermani, Addl. Advocate General, Punjab
for the respondent/State.

FATEH DEEP SINGH, J. (ORAL)

The matter has been taken up through video-conferencing on account of outbreak of pandemic COVID-19.

Accused petitioner Jaspreet Singh alias Jassa who is in custody in case bearing FIR No.0121 dated 16.08.2018 under Sections 363, 366-A, 420, 467, 468, 471, 120-B IPC and Sections 11 and 12 of the Protection of Children from Sexual Offences Act, 2012 pertaining to Police Station Sadar Raikot, District Ludhiana Rural, has come up in this second regular bail application under Section 439 Cr.P.C., the earlier one having been dismissed as withdrawn on 17.12.2019.

The brief allegations are to the effect that complainant Gulam Hussain in his statement alleged that his daughter, a minor girl aged around 16 years, while dining with the family went out of the house and

thereafter eloped. The complainant suspecting the role of co-accused Sarabjit Singh alias Sabi non-applicant, a tantrik, who used to visit the house of the complainant, levelled allegations that he is instrumental in this elopement on the pretext of marrying his daughter. The role assigned to the petitioner Jaspreet Singh alias Jassa is that he along with the co-accused non-applicant Rajvir Singh alias Raju in order to help the principal accused to get protection orders from the Court to show matrimonial relationship of the victim and the principal accused, prepared fake certificate of birth showing the girl to be a major and which was used by the accused non-applicant in procurement of protection orders from this Court.

Learned counsel for the petitioner Mr. Jitender Singh Dadwal, Advocate inter alia contends that the principal accused Sarabjit Singh alias Sabi non-applicant has been allowed bail and that there is no specific allegation against the petitioner and the only semblance of evidence is based on hearsay, claiming that the petitioner is behind bars since almost one year and has made prayer for allowing bail.

On behalf of the State, Mr. Sandeep Vermani, Addl. Advocate General, Punjab though has not displaced the facts but has stoutly opposed the grant of bail claiming that the accused in connivance with each other had fabricated the records of the Municipal Committee showing the girl to be a major when in fact her date of birth is 23.02.2002

and therefore, having forged and fabricated public record, the petitioner is not entitled to any relief.

Appreciating the arguments of the two sides, the principal accused has been allowed bail by this Court. The allegations against the petitioner are of falsification and fabrication of the record of the Municipal Committee. Keeping in view that the petitioner is behind bars for almost one year and the fact that trial is not likely to conclude in the near future, this Court is of the opinion that no useful purpose will be served by keeping the petitioner in custody in the present case. Accordingly, he is ordered to be released on regular bail to the satisfaction of Chief Judicial Magistrate/Duty Magistrate, Ludhiana. However, it is made clear that anything observed herein shall not be construed as an expression on the merits of the case.

The petition stands disposed off accordingly.

(FATEH DEEP SINGH)
JUDGE

June 8, 2020
rps

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No