

CRM-M-4007-2020

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

CRM-M-4007-2020
Date of decision: 19.02.2020

Sikander Singh Petitioner

Versus

State of Punjab & ors. Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Sunny K. Singla, Advocate
for the petitioner.

Manjari Nehru Kaul, J.(Oral)

Instant petition has been filed under Section 439(2) Cr.PC seeking cancellation of bail of respondents No.2 and 3 granted by Addl. Sessions Judge, Sangrur vide order dated 25.07.2019 and 06.08.2019 respectively in FIR No.171 dated 16.10.2018 registered under Sections 363, 366-A IPC at Police Station Sadar Dhuri, District Sangrur (Annexure P-1).

Learned counsel for the petitioner has submitted that the Court below while granting bail to respondents No.2 and 3 gravely erred in observing that the prosecutrix was a major whereas she was in fact a minor on the date of occurrence. It was thus, prayed that the bail granted to respondents No.2 and 3 be cancelled on this ground itself.

I have heard learned counsel for the petitioner and gone through the impugned order and other material available on record.

A perusal of the impugned order reveals that the prosecutrix while getting her statement recorded under Section 164 Cr.PC before the Court

CRM-M-4007-2020

herself stated that she was 19 years of age and had not been kidnapped by the respondent-accused and rather she had accompanied them of her own accord as she was having love affair with respondent No.2-Sukhdeep Singh. Not only that, an affidavit too was filed on behalf of the victim wherein she reiterated what she had already stated in her statement under Section 164 Cr.PC.

In view of the above, I do not find any ground to cancel the bail granted to respondents No.2 and 3. Accordingly, the present petition stands dismissed.

19.02.2020
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(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/non-speaking?

Yes/No

Whether reportable?

Yes/No