

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

Crl. Misc. M 6287 of 2020 (O&M)
Date of decision: 5.3.2020

Mohd. Shehzad @ Honey

...Petitioner

Versus

State of Punjab

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: Mr. Amaninder Preet, Advocate,
for the petitioner.

Mr. Sidakmeet Singh Sandhu, AAG, Punjab.

JAISHREE THAKUR, J. (Oral)

The petitioner herein has filed this petition under Section 439 of the Code of Criminal Procedure for grant of regular bail in case FIR No. 122 dated 26.10.2018, under Sections 376 (2) (N), 376-B read with Section 506 IPC 1860 and Section 67-A of the Information and Technology Act, 2000 registered at Police Station City-2, Malerkotla, District Sangrur.

It is contended by learned counsel for the petitioner that the petitioner has falsely been implicated in this case and he is in custody since 31.10.2018. It is submitted that in fact the complainant and the petitioner fell in love and performed marriage against the wishes of the parents of the complainant. It is submitted that initially Parvez Akhatar, who is brother-in-law (*Jija*) of the petitioner, was also implicated in this case, but on inquiry held by an Special Investigation Team (SIT), he was exonerated. Thereafter, on an application filed under Section 319 of the Code of Criminal Procedure, Parvez Akhatar was summoned as additional accused by the trial court by order dated 1.5.2019, which was challenged in this Court by way of

Criminal Revision No. 1265 of 2019 and this Court was pleased to stay the operation of the said order. It is further submitted that material witnesses, namely the complainant and her father have already been examined, though the trial has been stayed by this Court by order dated 19.7.2019 passed in Criminal Misc. M 30563 of 2019 filed by the complainant herself. The trial is likely to take some time. No useful purpose would be served by keeping the petitioner behind bars till the conclusion of the trial. He prays that the petitioner be admitted to regular bail.

Mr. Sidakmeet Singh Sandhu, AAG, Punjab has contested the bail application while submitting that the allegations levelled against the petitioner are of serious nature and as such he does not deserves the concession of bail.

I have heard learned counsel for the parties and have also perused the documents annexed with the petition.

Without going into the merits of the case and keeping in view the fact that the statements of the material witnesses, including the complainant and her father, have been recorded and the trial is likely to take some time to conclude, the present petition is accepted and the petitioner is ordered to be released on regular bail on his furnishing bail bonds and surety bonds to the satisfaction of trial Court/Duty Magistrate, concerned.

5.3.2020
prem

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No