

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

CRM-M-12409-2020

Date of decision:-22.7.2020

Jagandeep Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR.JUSTICE H.S.MADAAN

Present: Mr.Jashandeep Singh Sandhu, Advocate
for the petitioner.

Mr.A.P.S. Gill, DAG, Punjab.

H.S. MADAAN, J.

Case taken up through video conferencing.

This petition for regular bail has been filed by petitioner Jagandeep Singh, aged about 21 years, an accused in FIR No.62 dated 21.7.2019 for the offences under Sections 363, 366-A IPC, registered at Police Station SGN Dev Thermal Plant, District Bathinda.

Briefly stated, the facts of the case as per the prosecution story are, that criminal machinery in this case was set into motion by complainant Kulwinder Kaur wife of Jagir Singh son of Dev Singh, resident of village Vandar, District Moga, presently residing at Street No.13, Sucha Singh Nagar, Bathinda, aged about 35 years, who in the

statement made to police stated that her husband Jagir Singh had died about 10 years earlier; she has four children; she along with her children has been residing in a rented accommodation belonging to Balwant Singh at Sucha Singh Nagar, Street No.13, Bathinda; her daughter (daughter name not being mentioned to conceal her identity and referred to as '*the victim*') aged about 16 years, who had passed 8th class had been looking after an old woman aged about 70 years at Homeland Colony since her entire family was in Canada; her daughter used to reside with that lady; on 13.7.2019, her said daughter had gone somewhere without telling her or that aged lady; she was ultimately found on 14.7.2019 on main road of Homeland Colony and it seemed that she was under the influence of intoxicants; she did not tell anything about what happened to her. The complainant in her statement further stated that on inquiry she found that Jagandeep Singh son of Nachattar Singh, resident of Sehna Khera had taken away her daughter on the pretext of marriage. After recording of formal FIR, the matter was investigated. The petitioner/accused was arrested in this case on 26.7.2019. After completion of investigation and other formalities, challan against the petitioner/accused has been filed. The petitioner had filed an application for regular bail in the Court of Sessions but the same was dismissed by learned Additional Sessions Judge, Bathinda vide order dated 31.1.2020, therefore, the petitioner has approached this Court for grant of similar relief.

Notice of the petition was given to respondent – State and counsel representing the State has put in appearance.

I have heard learned counsel for the parties besides going

through the record.

Learned counsel for the petitioner has contended that the material witnesses, namely, the complainant and the prosecutrix have been examined, who have not supported the case of prosecution and have not stated anything against the petitioner. He has referred to copies of statements of complainant and the prosecutrix placed on record by him in that regard. He further stated that the proceedings in the trial Court are held up on account of Corona Pandemic and the conclusion of trial is likely to take considerable time, as such the petitioner be granted concession of regular bail.

Though learned State counsel has opposed the request but I find that keeping in view the facts and circumstances of the case, the petition calls for acceptance.

Accordingly, the petition is allowed. The petitioner be admitted to bail during the pendency of the trial, subject to his furnishing bail bonds and surety bonds to the satisfaction of the trial Court/Chief Judicial Magistrate, Bathinda, subject to the following conditions:

- (i) he shall appear in the Court on each and every date of hearing;
- (ii) he shall not give any threat or intimidation to the prosecution witnesses; and
- (iii) he shall not leave India without prior permission of the Court and shall surrender his passport, if he has got one, otherwise to furnish affidavit in that regard.

In addition to that the trial Court may impose any term and

condition found suitable to ensure that the petitioner does not abscond and interfere in the trial.

It may be mentioned here that nothing discussed hereinabove shall have any bearing on the merits of the case.

22.7.2020

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(H.S.MADAAN)

JUDGE

Whether reasoned/speaking : Yes/No

Whether reportable : Yes/No