

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

CRM-M- 12897-2020 (O&M)
Date of Decision:- 15.06.2020

Ravi Singh @ Jhalla and another ... Petitioners

Versus

State of Punjab ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Nirmaljeet Singh Sidhu, Advocate for the petitioners.

Ms. Samina Dhir, DAG, Punjab.

*(the aforesaid presence is being recorded through video conferencing
since the proceedings are being conducted in Virtual Court)*

GURVINDER SINGH GILL, J. (Oral)

1. The petitioners seek grant of regular bail in a case registered against them vide FIR No.83 dated 8.11.2019 under Sections 363/366-A IPC (Section 366-A deleted and Section 376/366 IPC and Sections 3 and 4 of POSCO Act, 2012 added lateron) at Police Station Kotfatta, District Bathinda.
2. The FIR in question was lodged at the instance of Sukhdev Singh wherein it has been alleged that his daughter is aged about 15½ years and had studied upto 9th standard and that on 7.11.2019 when he alongwith his wife went to the fields for work, his daughter was alone at home. However, when they returned back, her daughter was missing from home. It is alleged that he suspected that Ravi Singh son of Bhim Singh had enticed away his daughter on the pretext of marrying her.

3. The learned counsel for the petitioners has submitted that they have falsely been implicated in the present case and that the falsity of the case would be evident from the fact that when the prosecutrix and even the complainant i.e. her father were examined in the Court, they did not support the case of the prosecution at all. The learned counsel in this regard has drawn the attention of this Court to the statements of the prosecutrix as well as of the complainant which are annexed with the petition as Annexure P-2.
4. Opposing the petition, the learned State counsel has submitted that since the prosecutrix was a minor, no case for grant of regular bail is made out. It has, however, been informed that the petitioners have been behind bars since the last about 7 months.
5. Having regard to the facts and circumstances of the case, especially that the prosecutrix and the complainant during the course of trial have not supported the case of the prosecution and that the petitioners have been behind bars since the last about 7 months, further detention of the petitioners will not serve any useful purpose.
6. The petition, as such, is accepted and the petitioners are ordered to be released on regular bail on their furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

15.06.2020
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(Gurvinder Singh Gill)
Judge

Whether speaking /reasoned
Whether Reportable

Yes / No
Yes / No