

S.No.209

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

CRM-M-13035 of 2020 (O&M)

Date of Decision:08.06.2020

Chandan KumarPetitioner

Vs.

State of PunjabRespondent

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IN VIRTUAL COURT
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CORAM:- HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present:- Mr. Divjyot S. Sandhu, Advocate for the petitioner.

Rajbir Sehrawat, J.(Oral)

The present petition has been filed by the petitioner under Section 439 Cr.P.C for grant of bail pending trial in case FIR No.151 dated 20.04.2020 registered under Sections 354-A, 354-D, 506 IPC, 1860 and 67-A of IT Act, 2008 and 12 of POSCO Act, 2012 at Police Station City Phagwara, District Kapurthala.

It is contended by counsel for the petitioner that the case against the petitioner is totally concocted. Even as per the allegation, the petitioner is alleged to have sent a message to the mother of the girl, which is perceived to be improper. Further, it is submitted that the father of the girl is serving in Police Department and he has performed third marriage with the mother of the girl. The girl is from previous husband of the mother of the girl. Therefore, the police person is misusing even his own step daughter. Otherwise, it was a dispute regarding parking of a motor-cycle and even that dispute was settled by a compromise. However, the step father of the girl continued having grudge against the petitioner. As a result,

the present case has been concocted. The petitioner is in custody since 26.04.2020.

Notice of motion.

Mr. Ramdeep Partap Singh, DAG, Punjab, accepts notice on behalf of the State.

Learned State Counsel, on instructions from ASI Ashok Kumar, submits that there have been specific allegations against the petitioner. It is further submitted that the challan is ready, although the same has not been filed so far. However, it is not disputed that the step father of the girl is serving in Police and it is the third marriage of the step father. It is also not disputed that the petitioner is in custody since 26.04.2020.

In view of the above, but without commenting upon merits of the case, the present petition is allowed. It is ordered that the petitioner be released on bail on his furnishing bail bonds/ sureties to the satisfaction of the trial Court/ Duty Magistrate.

June 08, 2020
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(RAJBIR SEHRAWAT)
JUDGE

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No