

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

CRM-M-13624-2020 (O&M)

Date of decision : 15.06.2020

Gopal

...Petitioner

Versus

State of Punjab

...Respondent

**CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL**

Present: Mr. Saurabh Kapoor, Advocate for the petitioner.

Mr. Surinder Pal Singh Tinna, Additional A.G. Punjab.

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**ANIL KSHETARPAL, J. (ORAL)**

The petitioner prays for bail pending trial in a criminal case arising from FIR No.45 dated 01.04.2018 registered under Section 346 of IPC and later on added Sections 363/366-A/376-A IPC and Sections 3 and 4 of POCSO Act, at Police Station City Raikot, Ludhiana (R).

In a nutshell, the case of the prosecution is that the petitioner and his wife called the prosecutrix to their residence on 22.03.2018 and offered her some sweets to eat. She fainted due to eating sweets and thereafter Aman, a co-accused took her to Ludhiana Railway Station from where they together went to Meerut. Aman took her to his home and informed the family members that they have performed the marriage. Aman used to beat her. Thereafter, Aman left her with his friend namely Ram Bharose who assaulted her. The prosecutrix on getting an opportunity, ran

away and reached the house of her uncle at Village Gharoli, Uttar Pradesh.

The petitioner is in custody since 30.01.2020. Learned counsel for the petitioner has pointed out a discrepancy in the statement of the uncle and the investigation carried out. He further submits that at the most, the allegations against the petitioner are that he facilitated Aman and the prosecutrix to elope. He further submits that on conclusion of the investigation, challan has been presented.

On the other hand, learned counsel for the State has submitted that the present case involves serious offence.

As noticed above, the petitioner is neighbour of the prosecutrix. She came to the petitioner's house at 10:30 PM without informing her family members. She is alleged to have remained in the company of Aman and Ram Bharose for a period of five months.

Without commenting on the merits of the case and keeping in view the fact that the petitioner is in custody since 30.01.2020 and the trial of the case is likely to take a long time, the petitioner is directed to be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of the concerned trial Court/Duty Magistrate.

Accordingly, the present petition is allowed.

**15.06.2020**

*Pawan*

**(ANIL KSHETARPAL)  
JUDGE**

**Whether speaking/reasoned:-                      Yes/No**

**Whether reportable:-                                  Yes/No**