

**Sr. No.207**

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

**CRM-M-16020 of 2020 (O&M)**

**Date of Decision: 07.07.2020**

**Lovepreet Singh @ Love**

**...Petitioner**

**Versus**

**State of Punjab**

**... Respondent**

**CORAM:- HON'BLE MR. JUSTICE ARUN MONGA**

Present:- Mr. Ranbir Singh Sekhon, Advocate,  
for the petitioner.

Mr. Ramdeep Partap, DAG Punjab.  
(Presence marked through video conference)

**ARUN MONGA, J. (ORAL)**

1. The petitioner is seeking regular bail in FIR No. 7 dated 18.01.2020, registered under Sections 363 and 366-A, to which Section 376 IPC and Sections 3 and 4 of the Protection of Children from Sexual Offences Act, 2012 were added lateron, Police Station Kulgarhi, District Ferozepur.

2. The FIR was registered on the complaint of father of prosecutrix, wherein he apprised the police about missing of his minor daughter since the night intervening 16/17.01.2020. He also informed the police that he came to know that petitioner has taken away his daughter on the pretext of marrying her and his daughter has gone away after taking Rs.1,45,000/- and gold ornaments from the house. The prosecutrix was recovered and her statement under Section 164 Cr.P.C. was got recorded.

3. Learned counsel for the petitioner submits that the petitioner is in custody for the last about 5 months. The petitioner and prosecutrix were having a love affair and she had left the house of her own sweet will. He further submits that the case was registered by the father of the prosecutrix under some misconception and now with the intervention of respectables, all

misunderstandings have been sorted out. He submits that investigation is over, challan has been filed and further custodial interrogation of the petitioner is not required. According to him, trial would take time to conclude.

4. On the other hand, learned State counsel opposed the bail plea. He submits that the petitioner took away the minor daughter of the complainant and raped her. According to him, there are serious allegations against the petitioner and he is not entitled to bail. He admits that investigation is over and challan has been presented in Court, but trial is yet to commence.

5. The petitioner is in custody for the last more than five months. The investigation is over and challan has been filed in the Court, but trial is yet to commence. Compromise between the parties has also taken place. Custodial interrogation of the petitioner is no more required. The pleas of prosecutrix being a consenting party and the registration of the case on account of some misunderstanding, can be adjudged during the trial, which would take long time to conclude due to ongoing Covid-19 pandemic. Without expressing any opinion on the merits of the case, petition is allowed. The petitioner shall be released on regular bail on his furnishing bail bonds and surety bonds to the satisfaction of Chief Judicial Magistrate/ Duty Magistrate, Ferozepur, as the case may be. The petitioner will not try to influence/ contract the witnesses of the case.

**(ARUN MONGA)**  
**JUDGE**

**07.07.2020**  
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Whether speaking/reasoned Yes/No

Whether Reportable Yes/No