

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

CRM-M-16068-2020

Date of Decision: 30.10.2020

Krishan Singh

.. Petitioner

Vs.

State of Punjab

..Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Sarabjit Singh Grewal, Advocate for petitioner.

Mr. Harbir Sandhu, AAG, Punjab.

...

Manoj Bajaj, J. (Oral)

Petitioner has filed this petition under Section 439 Cr.P.C for grant of regular bail, pending trial in case FIR No.24 dated 09.03.2020 registered under Sections 363 and 366-A IPC, 1860 at Police Station Boha, District Mansa. The petitioner is in custody since his arrest on 10.03.2020.

The FIR was registered on the statement of complainant Sukhjot Kaur, wherein it was alleged that on 07.03.2020, she after giving food to her children and husband, went for attending sangeet of Krishan Singh, who was her neighbour. At about 9:00 p.m., when she returned back, she found her daughter Sat Kaur missing. After enquiring from husband Gurjant Singh, she found that Sat Kaur left for bathroom and did not come back. Later on, she came to know that her neighbour Krishan Singh was also missing since that very day. The complainant has a suspicion that Krishan Singh had abducted her daughter by enticing her on the pretext of marriage. On these broad allegations, the present FIR was registered.

Learned counsel for the petitioner contends that the FIR was lodged by the mother of the victim on the ground that her daughter, namely, Sat Kaur has been taken away by her neighbour Krishan Singh (petitioner). According to him, the girl was recovered and in her statement recorded under Section 164 Cr.P.C., nothing incriminating was stated by her and, therefore, the further custody of the petitioner may not be necessary, particularly when the investigation of the case is complete. He prays for grant of bail.

On the other hand learned State counsel assisted by ASI Surjit Singh, has opposed the prayer on the ground that the specific allegations have been leveled against the petitioner by the complainant, however, he submits that the final report stands filed before the Court, but the trial is yet to commence.

After hearing the learned counsel for the parties, this Court finds that the investigation of the case is complete and the trial is likely to take some time to conclude. This Court is cognizant of the fact that the outbreak of pandemic COVID-19 in the region may further delay the conclusion of trial. Admittedly, the petitioner is presently confined in judicial custody since 10.03.2020, therefore, his further detention may not be necessary for any useful purpose.

Resultantly, without meaning any expression of opinion on the merits of the case, it is ordered that the petitioner be released on regular bail in the above case, subject to his furnishing requisite bail bonds/surety bonds to the satisfaction of the trial Court/Duty Magistrate Mansa.

The petition is allowed.

30.10.2020
Jasmine Kaur

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes	No
Yes	No