

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

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CRM-M-16832-2020

Date of Decision: 21.09.2020

Arpinder Singh

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE LALIT BATRA

Present: Mr. Sumeet Puri, Advocate
for the petitioner.

Mr. Prabhjot Singh Walia, AAG, Punjab.

Lalit Batra, J.(Oral)

Case has been taken up for hearing through Video Conferencing.

Present petition under Section 439 Cr.P.C is for grant of regular bail to petitioner-**Arpinder Singh** in case F.I.R. No.38 dated 22.02.2020 under Section 376 IPC, registered at Police Station Bhawanigarh, District Sangrur.

Learned counsel for the petitioner *inter alia* contends that petitioner has no nexus whatsoever with the alleged offence. He further submits that statement of prosecutrix has already been recorded on 28.08.2020 by the trial Court, wherein she has totally resiled from prosecution version. He further urges that as a matter of fact, prosecutrix has already performed marriage with petitioner-accused. He further submits that petitioner is in custody since 22.02.2020 and he is no more required by the

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Police for any investigation purpose. He further urges that since trial of the case would take sufficient time to conclude, no useful purpose would be served by keeping the petitioner in custody further and he may be released on bail.

On the other hand, learned State counsel while opposing instant petition has vehemently argued that keeping in view seriousness of offence, petitioner does not deserve the concession of bail.

I have heard learned counsel for the parties.

At this stage, without commenting anything on the merits of the case lest it may prejudice the outcome of the trial but taking into consideration the fact that petitioner is in custody since 22.02.2020; that petitioner is no more required by the Investigating Agency for investigation purpose and since trial of the case would take sufficient time to conclude, no useful purpose would be served by detaining the petitioner in custody further, thus, he deserves the concession of bail.

In view of above, instant petition for grant of regular bail moved by petitioner- **Arpinder Singh** is allowed and he is ordered to be released on bail on his furnishing personal/surety bonds to the satisfaction of Trial Court/Chief Judicial Magistrate/Duty Magistrate, Sangrur, as the case may be.

(LALIT BATRA)
JUDGE

21.09.2020

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Whether speaking/reasoned : Yes
Whether reportable : No