

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

**CRM-M-20448 of 2020 (O & M)
DATE OF DECISION : 14.09.2020**

Jaswinder Singh @ Jassa

...Petitioner

versus

State of Punjab

...Respondent

CORAM : HON'BLE MR. JUSTICE ARUN MONGA

Present : Mr. K. S. Sidhu, Advocate,
for the petitioner.

Mr. Sidakmeet Sandhu, AAG, Punjab.

(Presence marked through video conference).

ARUN MONGA, J. (ORAL)

CRM NO. 17730 OF 2020

Allowed, as prayed for.

MAIN CASE

The petitioner is seeking regular bail in FIR No.49 dated 18.07.2019 under Sections 363/366-A/120-B IPC (Sections 376/212 IPC and Sections 3 and 4 of the Protection of Children from Sexual Offences Act, 2012, added later on) registered at Police Station Sadiq, District Faridkot.

2. Per FIR, complainant Deputy Singh has four daughters and one son and prosecutrix, his 17 ½ years old daughter, was doing work in the house of Madam Manu of Jawahar Navodaya School at village Kauni. On 12.07.2019 at 12.30 PM, when called his daughter cell phone, it was switched off. He got suspicious about one Jassi, who in conspiracy with his mother, had enticed/kidnapped his daughter.

3. Learned counsel for the petitioner contends that petitioner has been falsely implicated in the case. Statement of the prosecutrix recorded under Section 164 Cr.P.C clearly shows that no such offence, as alleged by the prosecution, was committed by the petitioner. There is no medical evidence to show that any wrong act has been done by him with the prosecutrix. He submits that petitioner is in custody since 24.08.2019 and investigation is already over.

4. Notice of motion.

5. Mr. Sidakmeet Sandhu, AAG, Punjab, who has joined the proceedings on service of advance copy of the petition, appears and accepts notice on behalf of State of Punjab and opposes the bail petition on the ground that petitioner is involved in heinous offence.

6. Having heard learned counsel for the petitioner, as well as learned State counsel, this Court is of the view that no useful purpose would be served by keeping the petitioner behind the bars since investigation is already over. The petitioner is stated to be in custody since 24.08.2019. The trial is not likely to commence or conclude any time soon on account of current pandemic conditions.

7. In the premise, the instant petition is allowed. Petitioner is ordered to be released on bail on his furnishing bail bonds and surety bonds to the satisfaction of trial Court/Illaqa Magistrate/ Duty Magistrate concerned.

SEPTEMBER 14, 2020
Shalini

(ARUN MONGA)
JUDGE

Whether speaking/reasoned :
Whether reportable :

Yes/No
Yes/No