

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

PARVEEN KUMAR
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Crl. Misc. M-20725 of 2020

Date of decision: 11.08.2020

Vikraminder Singh @ Vicky

....Petitioner(s)

Versus

State of Punjab

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE G.S.SANDHAWALIA

Present: Mr. J.S. Sandhu, Advocate, for the petitioner.

Mr. Hittan Nehra, Addl. A.G., Punjab.

(Proceedings are conducted through video
conferencing as per instructions).

G.S.SANDHAWALIA, J. (Oral)

Present petition has been filed under Section 439 Cr.P.C., for grant of regular bail in FIR No. 121 dated 20.12.2019 under Sections 376, 506 IPC registered at Police Station S.G.N. Dev Thermal Plant Bathinda.

The FIR was lodged by the victim who is around 35 years of age and is the wife of Gurdeep Singh. The petitioner is the son of Gurdeep's sister and is aged around 28 years. As per the FIR itself, he had forced himself upon her in a room in a restaurant by showing her a revolver after he had picked her up while she was standing at a bus stand in May/June, 2016. Thereafter, he had again taken her to hotel in the year 2017-18 and made forcible physical relations with her. Admittedly as per the FIR, a divorce case was pending of the complainant with Gurdeep Singh and then it came to the mind of the victim that if she did not take any step against the petitioner, he would keep on harassing her.

It is in such circumstances, the petitioner is in custody since 20.12.2019. The incidents also, as noticed, are of 2-3 years prior in point of time.

Keeping in view the fact that the petitioner is closely related and the complainant was having a matrimonial dispute with her husband, the close relations being falsely involved as such cannot be ruled out. Prima facie, there seems to be considerable delay in lodging the FIR and the investigation is admittedly complete. None out of the 7 prosecution witnesses have been examined.

In such circumstances, the trial is likely to take considerable time and it is the case of the petitioner, which is vouched by the State counsel, that the petitioner has clean antecedents and is not involved in any other criminal proceedings. The petitioner is in custody for the past 8 months.

Resultantly, the present petition is allowed and the petitioner is granted bail, on his furnishing bail bonds/surety bonds, to the satisfaction of the Illaqa/Duty Magistrate, Bathinda.

11.08.2020
shivani

(G.S. SANDHAWALIA)
JUDGE

Whether reasoned/speaking Yes/No

Whether reportable Yes/No