

202
IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-22236-2020

Date of decision: 05.10.2020

Lovejit Singh @ Labbha

..... Petitioner

V/s.

State of Punjab

..... Respondent

CORAM: - HON'BLE MR. JUSTICE SANJAY KUMAR

Present: Mr. Bhupinder Kumar Gupta, Advocate, for the petitioner.

Mr. Gaurav Garg Dhuriwala, Senior DAG, Punjab.

Sanjay Kumar, J.

The petitioner seeks regular bail in relation to FIR No. 192 dated 06.09.2019 on the file of Police Station City South, District Moga, registered under Sections 363, 366 and 34 IPC (Section 376 IPC and Sections 3 and 4 of the Protection of Children from Sexual Offences Act, 2012, added later on).

The petitioner was not initially named as an accused in the FIR. He seems to have been implicated only upon the disclosure statement of the named accused. The case of the complainant was that her daughter had been enticed away by the named accused on the pretext of marriage. The complainant also did not name the petitioner as being involved. Further, the victim girl did not even mention the petitioner's name in her statement made

before the police. This Court is informed that the named accused has already secured bail in this case. That apart, the challan has already been filed and there is no possibility of the petitioner tampering with the investigation. Perusal of the challan reflects that no specific overt acts have been attributed to the petitioner.

Given the aforestated facts, it is for the trial Court to determine the guilt, if any, of the petitioner after a full fledged trial. As matters stand, he would be entitled to relief, subject to conditions.

The petition is accordingly allowed directing the release of the petitioner on regular bail in FIR No. 192 dated 06.09.2019 on the file of Police Station City South, District Moga, upon his furnishing a personal bond for a sum of ₹. 20,000/- along with two sureties for a like sum each to the satisfaction of the Illaqa/Duty Magistrate concerned. Further, the petitioner shall not offer any inducement, threat or promise to any person connected with the case.

(SANJAY KUMAR)
JUDGE

05.10.2020

rakesh

whether speaking/non speaking

: Yes/no

whether reportable/non reportable

: Yes/no