

205 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-23480-2020
Date of Decision: 24.08.2020

Sandeep Singh

... Petitioner

v/s

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Mr. RVS Chugh, Advocate for the petitioner.

Mr. H.S.Multani, AAG Punjab.

*(The case has been taken up through video conferencing on
account of Covid-19 pandemic)*

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VIVEK PURI, J. (ORAL)

The petitioner has prayed for grant of regular bail in case FIR No.294 dated 26.10.2019, under Sections 363, 366-A IPC, 1860 registered at Police Station Sardulgarh, District Mansa.

Briefly, the FIR was registered on the allegations that victim, aged about 17½ years was kidnapped by the petitioner on 17.10.2019 on the pretext of solemnizing marriage.

It has been stated by learned counsel for the petitioner that victim was recovered on 8.12.2019. Her statement under Section 164 Cr.P.C. was recorded wherein she had stated that she left the house and developed physical relationship with the petitioner of her own accord. It has also been stated that petitioner became pregnant. Subsequently, she delivered a baby and has also solemnized marriage with the petitioner. Affidavit of the victim, who is now stated to be more than 18 years of age, has been placed on record. The arrest of the petitioner was effected on 8.12.2019.

Learned State counsel, on instructions from ASI Amrik Singh, has not disputed the factual aspect of the matter.

In the case in hand, though the victim was less than 18 years of age at the time of occurrence and the affidavit of the victim indicates that she was having an affair with the petitioner and solemnized marriage, delivered a baby and furthermore, residing in the house of the petitioner. As such, sufficient mitigating circumstances are made out to extend the concession of bail to the petitioner.

In the aforesaid circumstances, without making any observation on the merits of the case, it is ordered that the petitioner be released on regular bail subject to his furnishing requisite bail bonds/surety bonds to the satisfaction of the concerned trial Court/Chief Judicial Magistrate/Duty Magistrate.

The petition is allowed.

24.08.2020

Janki

(VIVEK PURI)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No