

CRM-M-28474-2020 (O&M)

Date of Decision : 27.10.2020

Hardip Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM : HON'BLE MR. JUSTICE HARINDER SINGH SIDHUPresent : Mr. Munish Garg, Advocate
for the petitioner.

Mr. H.S. Sullar, DAG, Punjab.

Harinder Singh Sidhu, J

The case has been taken up through video conferencing on account of Covid-2019 pandemic.

Prayer is for grant of regular bail to the petitioner in case FIR No.46, dated 16.06.2020, under Sections 363, 366/A of Indian Penal Code, 1860 (Sections 354/A and 506 IPC added later on), registered at Police Station, Thulliwal, District Barnala.

As per the allegations in the FIR, the complainant Bhupinder Singh son of Jaggar Singh, father of the minor girl Jaspreet Kaur stated that on 15.06.2020, his daughter was taken away by his neighbourer Hardip Singh (petitioner) on his motor-cycle to some unknown place on the pretext of getting married with her.

Learned counsel for the petitioner has argued that offence under Section 366 is not made out. He has further stated that the statement of the minor girl has been got recorded under Section 164 of Cr.P.C. in

which she has stated that she was acquainted with the petitioner-Hardip Singh for the last two years and she used to like him. They used to talk with each other on the phone. Two days earlier, the petitioner had come to her house and stated that if she did not come then he will die. Due to the fear, she went to the house of the petitioner and stayed there for 10 minutes and came back. She has also stated that during her stay at the petitioner's house, the petitioner has not developed any physical relations with her.

It has come on the record that the girl has refused to be medically examined. The Challan has been presented and investigation of the case has been completed. The petitioner is aged about 22 years and is in custody since 18.06.2020. The petitioner does not have any criminal antecedents. The completion of the trial would take sufficient time. No useful purpose would be served by keeping the petitioner behind the bars.

In view thereof and keeping in view the prevalent pandemic Covid-19 and the circumstances detailed hereinabove, there is every likelihood that the trial is not likely to be concluded in the near future, without feeling the necessity to advert to the merits of the case, no useful purpose would be served by keeping the petitioner in custody. Accordingly, the instant petition for regular bail is allowed. The petitioner-Hardip Singh is ordered to be released on regular bail on his furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate, concerned.

The present petition stands disposed of accordingly.

(HARINDER SINGH SIDHU)
JUDGE

October 27, 2020
Manpreet

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