

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(210)

CRM No. M-31334-2020

Date of Decision : 09.10.2020

RAVI

....Petitioner

Versus

STATE OF PUNJAB

.....Respondent

(through video conferencing)

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. Ravi Malhotra, Advocate for the petitioner.

Mr. Sandeep Singh Deol, Deputy Advocate General, Punjab.

Harsimran Singh Sethi, J. (Oral)

The present petition has been filed under Section 439 Cr.P.C. for the grant of regular bail to the petitioner in FIR No. 132 dated 13.06.2020, under Sections 363, 366-A IPC, registered at Police Station Kartarpur, District Jalandhar.

Learned counsel for the petitioner argues that prosecutrix has gone alongwith the petitioner with her own free will and consent and she has already given a statement that no wrong has been done to her by the petitioner. Learned counsel for the petitioner submits that the challan has already been presented and keeping the petitioner in custody during the trial will serve no purpose and, therefore, he be granted the benefit of regular bail.

Learned State counsel concedes that the prosecutrix had refused

to undergo the medical examination and further as per the statement given by her, no act was committed by the petitioner forcibly with her.

I have heard learned counsel for the parties and have gone through the record with their able assistance.

Once the prosecutrix, prima-facie, is supporting the petitioner and had made a statement that she had gone with the petitioner with her own free will and consent and no act was committed by the petitioner forcibly upon her coupled with the fact that the prosecutrix had refused medical examination as well, no purpose will be served in keeping the petitioner behind the bars as the challan has already been presented and trial is likely to take some time before it concludes, the petitioner is therefore granted the benefit of regular bail.

The petitioner be released on regular bail in this case subject to the satisfaction of the trial Court/Duty Magistrate concerned.

Learned counsel for the petitioner undertakes that petitioner will not influence the trial in any manner as the challan has already been presented and in case of default of the above undertaking, the State will be at liberty to approach this Court for passing appropriate orders.

However, it is made clear that anything observed herein shall not be construed to be an expression of any opinion on the merits of the case.

October 09, 2020
kanchan/naresh.k

(HARSIMRAN SINGH SETHI)
JUDGE

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