

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

CRM-M-54354 of 2019 (O&M)
Date of Decision: January 07, 2020

Sewak Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Jagdeep Singh Rana, Advocate
for the petitioner.

Mr. Sidakmeet Singh Sandhu, AAG Punjab.

JAISHREE THAKUR, J. (Oral)

The instant petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No.142 dated 06.11.2019, under Sections 363, 366-A of Indian Penal Code, registered at Police Station Moonak.

Learned counsel for the petitioner contends that the petitioner herein was taken into custody in the aforesaid FIR on 09.11.2019. It is argued that both the petitioner and daughter of the complainant by way of filing CWP No.32219 of 2019 sought protection of their life and liberty, with a prayer that the respondents should not interfere in their lives, however, during the course of the proceedings in this court, the minor girl, aged 17, was sent to Nari Niketan and subsequently released in the custody of her parents. It is further submitted that the minor girl had suffered a statement, as noticed by the Addl. Sessions Judge, Sangrur, that she had

performed a marriage with the petitioner on 07.11.2019 on her own free consent and that no wrong had been done to her, however, bail was declined despite the fact that the complainant i.e. father of the minor girl had also suffered a statement that he has no objection in case, bail had been allowed. It is also contended that investigation is complete, as the challan has been presented, therefore, the petitioner is entitled to be enlarged on regular bail.

Per contra, learned counsel appearing on behalf of respondent-State, on instructions from the Investigating Officer, opposes the grant of regular bail, however, is not in a position to deny the fact that the investigation is complete and the challan has been presented.

I have heard learned counsel for the parties.

Since, the trial is likely to take some time and in view of the facts that investigation is complete and that a statement had been suffered by the complainant i.e. father of the minor girl that he has no objection, in case, bail application is allowed, no useful purpose would be served in keeping the petitioner behind the bars. At this stage, without commenting on the merits of the case, the instant petition is allowed and the petitioner is directed to be released on regular bail on execution of adequate personal bond and surety bond to the satisfaction of concerned trial Court/Duty Magistrate.

January 07, 2020
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(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No