

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

212

**CRM-M-452-2021 (O&M)
Decided on : 23.07.2021**

SOM NATH

... Petitioner(s)

Versus

STATE OF PUNJAB

... Respondent(s)

**CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL
(Through Video Conferencing)**

PRESENT: Mr. Ramandeep, Advocate
for the petitioner(s).

Mr. Luvinder Sofat, AAG Punjab.

MANJARI NEHRU KAUL, 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. 290, dated 24.08.2020 under Sections 363 and 366-A of the IPC registered at Police Station Patran, District Patiala.

Learned counsel submits that totally false allegations have been levelled in the FIR in question against the petitioner of having kidnapped the prosecutrix on the pretext of marriage. He further submits that the false implication of the petitioner finds credence from the fact that in her statement recorded under Section 164 CrPC, the prosecutrix neither levelled any allegations against the petitioner nor did she subject herself to any medical examination.

Learned counsel has submitted that the petitioner has been in custody since 25th August 2020 and prosecution evidence has not yet commenced, hence he may be extended the concession of bail.

Per contra, learned State counsel while opposing the prayer and submissions of the learned counsel for the petitioner on instructions from ASI Kulwant Singh has fairly admitted that the prosecutrix has not levelled any allegations against the petitioner in her statement recorded under Section 164 CrPC and even refused to get herself medically examined.

Heard.

In view of the submissions made by learned counsel for the parties, I deem it a fit case for grant of the concession of regular bail to the petitioner, as the trial is unlikely to conclude in the near future. The petition as such is allowed and the petitioner is admitted to bail to the satisfaction of trial Court/Duty Magistrate. However, it is made clear that anything observed hereinabove shall not be construed as an expression of opinion on the merits of the case.

(MANJARI NEHRU KAUL)
JUDGE

July 23, 2021

S.Sharma(syr)

Whether speaking/reasoned: *Yes/No*

Whether Reportable: *Yes/No*