

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

219

**CRM-M-1421-2021
Decided on : 18.01.2021**

Gurpreet Singh

. . . Petitioner(s)

Versus

State of Punjab

. . . Respondent(s)

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

(Through Video Conferencing)

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

Mr. H.S. Sita, AAG, Punjab
assisted by ASI Sukhwinder Singh.

MANJARI NEHRU KAUL, J. (Oral)

This is the second petition filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No. 72, dated 29.03.2019, under Sections 363, 366-A IPC, registered at Police Station City Faridkot, District Faridkot.

Learned counsel appearing for the petitioner submits that the petitioner, who has been in custody since 31st March, 2019, had allegedly lured the prosecutrix away from her home on the pretext of marriage. It has been further contended that during the pendency of the trial, not only had the prosecutrix, who had since attained the age of majority, married the petitioner but even during the course of trial, when the prosecutrix stepped into the witness-box as prosecution witness, she did not support the case of the prosecution and rather stated that she had accompanied the petitioner of her own accord and thereafter, on attaining the age of majority married him.

Per contra, learned State counsel while opposing the prayer and submissions made by learned counsel for the petitioner, on instructions from ASI

Sukhwinder Singh, has admitted that the prosecutrix did not support the case of the prosecution during trial and was thus declared hostile.

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, more so, in the prevailing conditions due to the outbreak of COVID-19. 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

January 18, 2021

J.Ram

Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No