

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

**CRM-M-1318-2021(O&M)**

**Date of Decision: 05.08.2021**

**(Heard through VC)**

**Rahul**

**...Petitioner**

**Versus**

**State of Punjab**

**...Respondent**

**CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR**

Present:- Mr. A. K. Soni, Advocate  
for the petitioner.

Ms. Rashmi Attri, AAG, Punjab.

**JAISHREE THAKUR, J. (Oral)**

The instant petition has been filed under Section 439 of Cr.P.C., for grant of regular bail to the petitioner in case FIR No.229 dated 07.12.2020 under Sections 363 and 366-A of IPC registered at Police Station Anaj Mandi, Patiala, District Patiala.

Learned counsel for the petitioner contends that the petitioner is in custody since 19.12.2020 and that when the statement of daughter of the complainant was recorded under Section 164 Cr. P. C. she had clearly stated that she had voluntarily accompanied the petitioner. It is also submitted that the matter has been investigated and the challan has been presented and trial is likely to take some time to conclude, therefore, custody of the petitioner would no longer be required.

Learned counsel for the respondent-State would oppose grant of bail to the petitioner by contending that the allegations levelled against her are serious in nature but is not in a position to dispute the fact that the investigation stands completed and challan has been presented.

I have heard learned counsel for the parties. Keeping in view the statement of the prosecutrix that has been given under Section 164 Cr. P.C., wherein the daughter of the complainant has stated that she had gone voluntarily with the petitioner and also in view of the fact that the complainant is residing with her parents and, therefore, the possibility of the petitioner influencing her, would not arise and trial is likely to take some time to conclude, no useful purpose would be served in keeping the petitioner behind bars. The instant petition is allowed and the petitioner is directed to be released on regular bail on execution of adequate personal/surety bond to the satisfaction of concerned trial court/Duty Magistrate. However, any observation made herein shall not be construed to be an expression on merits of the case.

**05.08.2021***Riya***(JAISHREE THAKUR)  
JUDGE**

Whether speaking/reasoned :

Yes

No

Whether Reportable :

Yes

No