

**In The High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-2203-2021 (O&M)
Date of Decision:- 21.1.2021

Nirmal Singh ... Petitioner

Versus

State of Punjab ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Mehtab Singh Khaira, Advocate, for the petitioner.

Mr. Ajay Pal Singh Gill, DAG, Punjab,
assisted by ASI Jaswant Singh.

(Proceedings conducted through video conferencing)

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner seeks grant of regular bail in a case registered vide FIR No.216, dated 7.7.2020, Police Station City Kapurthala, District Kapurthala, under Sections 376, 511 and 506 IPC.
2. The FIR in question was lodged at the instance of the victim wherein it has been alleged that her husband is working as a '*Granthi*' at Gurudwara Sahib. It is alleged that on 18.6.2020, at about 4.30 am. when her husband left for Gurudwara as usual, her father-in-law i.e. the petitioner Nirmal Singh who is also residing in the same house took her forcibly in another room and tore her clothes and attempted to rape her. However, when the victim raised alarm her children

woke up and even her neighbour Rani came to the spot and rescued her from her father-in-law who issued threats to eliminate her.

3. Learned counsel for the petitioner has submitted that he has falsely been implicated in the instant case on account of the fact that the relations between the petitioner and his son i.e. the husband of the complainant are strained and he had disinherited him.
4. Opposing the petition, learned State counsel has submitted that since the petitioner is specifically named in the FIR and in fact the victim has also reiterated her statement when examined under Section 164 Cr.P.C., no case for grant of bail is made out. Learned State counsel has however, informed that the petitioner has been behind bars since the last about 6 months.
5. I have considered rival submissions addressed before this Court.
6. Keeping in view the aforestated position where the petitioner is stated to be in custody for the last about 6 months and challan stands presented, no useful purpose would be served by further detaining the petitioner behind bars. The petition, as such, is accepted and the petitioner is ordered to be released on bail subject to his furnishing bail bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

January 21, 2021

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(GURVINDER SINGH GILL)
JUDGE

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No