

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

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**CRM-M-5081-2021
Decided on : 29.09.2021**

Gurwinder Singh @ Kakad

... Petitioner(s)

Versus

State of Punjab

... Respondent(s)

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

(Through Video Conferencing)

PRESENT: Mr. Tejvir Singh Manes, Advocate
for the petitioner(s).

Mr. Luvinder Sofat, AAG, Punjab
assisted by ASI Beant Singh.

MANJARI NEHRU KAUL, J. (Oral)

The present petition has been filed under Section 439 Cr.P.C., for grant of bail to the petitioner in case FIR No. 75, dated 28.06.2020, under Sections 363, 366-A of IPC, registered at Police Station Sadar Faridkot, District Faridkot.

Learned counsel appearing on behalf of the petitioner submits that the petitioner has been in custody since 07th July, 2020 in a case of false implication. He further submits that the prosecutrix had refused to subject herself to any medical examination and also did not get her statement recorded under Section 164 Cr.P.C. Further submits that since the prosecution evidence has concluded and the evidence of the defence is underway, his further incarceration would not serve any useful purpose.

Per contra, learned State counsel while opposing the prayer of the counsel opposite, on instructions from ASI Beant Singh, has submitted that the defence evidence is underway and hence the trial shall conclude

very shortly.

I have heard learned counsel for the parties and perused the material on record.

In the facts and circumstances of the case, as enumerated hereinabove, this Court does not deem it a fit case to extend the concession of bail to the petitioner, as the trial is nearing conclusion.

Dismissed. However, anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

(MANJARI NEHRU KAUL)
JUDGE

September 29, 2021

J.Ram

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