

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH
(through video conferencing)**

CRM-M-5387-2021
Decided on : 10.02.2021

Din Dayal Rajbeer @ Karan

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Bhawesh Chaudhary, Advocate
for the petitioner.

Mr. Sandeep Kumar, DAG, Punjab.

Manjari Nehru Kaul, J.

Instant petition has been filed under Section 439 Cr.PC for grant of regular bail to the petitioner in case FIR No.146 dated 28.07.2016 registered under Sections 363, 366 IPC, 1860 at Police Station Division No.8, District Jalandhar.

Learned counsel for the petitioner inter alia contends that the victim willingly left the house with the petitioner since she was being pressurized by her parents to marry a boy of their choice. Thereafter, the petitioner and the victim resided in Bombay and after three years returned to Jalandhar on 24.09.2019 at the invitation of the father of the prosecutrix. On their return, the police at the behest of the father of the prosecutrix arrested him. Learned counsel for the petitioner submits that the petitioner has been in custody since 24.09.2019 and therefore, prayer has been made to extend the concession of regular bail to the petitioner.

Per contra, learned State counsel while opposing the prayer of learned counsel for the petitioner on instructions from ASI Kulwinder Singh

has submitted that the FIR was registered by the father of the prosecutrix on 28.07.2016 soon after she went missing. In the FIR itself, he had specifically named the petitioner and alleged that he had lured away his minor daughter, aged 14 years, on the pretext of marrying her. Learned State counsel has further submitted that at the time of arrest of the petitioner, the victim was recovered from his possession, and even at that time she was a minor being 17 years of age. He further submitted that charges were framed on 28.01.2020, however, the trial could not proceed on account of outbreak of Covid-19 and there is every likelihood of trial concluding in the near future. Learned State counsel has also apprised the Court that the petitioner subsequent to the registration of the FIR against him was declared a proclaimed offender on 11.06.2018.

Heard.

In view of the submissions made by learned counsel for the parties, no ground is made out to extend the concession of regular bail to the petitioner. Accordingly, the present petition stands dismissed. It is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case. However, keeping in view the custody period of the petitioner, trial Court is directed to endeavour to expedite the trial and conclude the same preferably within a period of eight months.

(MANJARI NEHRU KAUL)
JUDGE

10.02.2021
sonia

Whether speaking/reasoned:
Whether reportable :

Yes/No
Yes/No