

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

Sr. No.204

**CRM-M-13300-2021
Date of Decision: 31.03.2021**

Manpreet Singh @ Mani

...Petitioner

VERSUS

State of Punjab

...Respondent

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present: Mr. Gopal Singh Nahel, Advocate,
for the petitioner.

Mr. H.S. Sullar, DAG, Punjab.

ARCHANA PURI, J.

The matter has been taken up through video conferencing in the light of COVID-19 pandemic.

The present petition has been filed by the petitioner, namely, Manpreet Singh @ Mani, thereby making prayer for grant of regular bail in case bearing FIR No.19 dated 19.01.2020, under Sections 376, 328, 323 and 506 IPC, registered at Police Station Sadar Dhuri, District Sangrur.

Notice of motion.

Mr. H.S. Sullar, DAG, Punjab, accepts notice on behalf of the State.

Heard on the bail application.

The aforesaid case was registered at the instance of the prosecutrix (named withheld) on the assertion that she is widow lady having one son of 08 years old. Her husband had died in an accident about four years ago. She alongwith her son is residing at her parental place in village Dhuri. She developed interaction with Manpreet Singh, son of

Kulwant Singh. Manpreet Singh used to ensure her for settling abroad. On the asking of Manpreet Singh, was stated that the condition of his mother is critical, the complainant had gone to meet his mother on 18.01.2020. After going to the residence of Manpreet Singh, there was found to be no other member present. Manpreet Singh had offered her cold drink and after consuming the same, she got unconscious and then Manpreet Singh had slapped her and raped her against her consent.

It is now submitted by learned counsel for the petitioner that the case has been falsely registered against the petitioner. It is further submitted that even after filing of the challan and framing of the charge, statement of the prosecutrix has been recorded, which has been placed on record as Annexure P-2. In fact, no incriminating role therein has been stated by the prosecutrix. It is further submitted that the petitioner is in custody since January, 2020. As such, a prayer for grant of regular bail to the petitioner has been made.

On the other hand, though the State counsel has not disputed the fact situation, as stated aforesaid but, however, it is submitted that the allegations against the petitioner are of grave nature.

May it be so, but, however, it is pertinent to mention that the prosecutrix herself has stepped into the witness box as PW-1 during the course of trial and her statement has been recorded, copy whereof is Annexure P-2. Perusal of the same reveals that she has not supported the prosecution version and has been turned hostile. Though the appraisal of the statement shall be made at the appropriate stage by the learned trial Court, but however, suffice to consider the same for the purposes of disposal of the present petition. Also considering the long incarceration faced by the petitioner, without commenting upon the merit of the case, the petitioner be released on regular bail, on furnishing bail bonds and

surety bonds to the satisfaction of concerned Trial Court/Chief Judicial Magistrate/Duty Magistrate.

Disposed of accordingly.

(ARCHANA PURI)
JUDGE

31.03.2021
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Whether speaking/reasoned	Yes
Whether reportable	No