

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

**CRM-M-16723 OF 2021 (O&M)  
DATE OF DECISION 18.06.2021**

**Manpreet Singh @ Khand**

**...Petitioner**

**versus**

**State of Punjab**

**...Respondent**

**CORAM : HON'BLE MR. JUSTICE ARUN MONGA**

Present : Mr. Manpreet Singh Dua, Advocate,  
for the petitioner.

Mr. Amit Mehta, Senior DAG, Punjab.

**(Presence marked through video conference).**

**ARUN MONGA, J. (ORAL)**

The petitioner has approached this Court to seek regular bail in case FIR No.144 dated 24.09.2020 registered under Sections 363/366-A/ 34 IPC (Sections 343/120-B IPC added later on), at Police Station Mallanwala, District Ferozepur.

2. Per FIR allegations, which was recorded on the statement of Kulwant Kaur, mother of the victim, to the effect that on the intervening night of 18/19.09.2020, one Sajjan along with three young boys eloped with her minor daughter.

3. The petitioner is stated to be in custody since 01.11.2020.

4. Learned counsel for the petitioner contends that petitioner has been falsely implicated in the case. He further contends that prosecutrix was having a love affair with Sajjan (prime accused). He further argues that petitioner was neither named in the FIR nor was present at the spot. His

name surfaced for the first time in the custodial disclosure statement of accused Sajjan. It is further contended that said disclosure statement is not admissible in law.

5. Learned counsel further strenuously argues that, apart from other grounds, the petitioner, on the sole ground of parity is entitled to be released on bail as the prime accused namely, Sajjan Singh has already been granted the concession of regular bail vide order dated 07.06.2021 passed by learned Additional Sessions Judge (Fast Track Court exclusively dealing with rape cases), Ferozepur. The other co-accused namely, Vijender Singh @ Vishu @ Vajinder Singh has also been granted the concession of ad interim anticipatory bail by a co-ordinate Bench of this Court vide order dated 23.02.2021 passed in CRM-M-8450 of 2021.

6. Learned counsel also argues that investigation in the case is over and challan has been presented. The trial is not likely to commence or conclude anytime soon, due to current pandemic conditions.

7. Per contra, learned State counsel opposes the bail plea. He, inter alia, argues that petitioner was arrested on the basis of disclosure statement made by the co-accused.

8. I have heard rival contentions of both the learned counsel.

9. Perusal of the report filed by the prosecution reveals that role attributed to the petitioner/accused is that he had helped the prime accused Sajjan in alleged fleeing of the minor girl by falsely alluring her that the said prime accused is interested to get married with her. Other than that, there is no role attributed to him.

10. Learned State counsel does not controvert the fact that prime accused namely, Sajjan has already been granted the concession of bail by the Sessions Court vide order dated 07.06.2021, while the other co-accused has also been granted the concession of anticipatory bail by a co-ordinate Bench of this Court vide order dated 23.02.2021.

10. The trial is yet to start as it is fixed for framing of charges. On the other hand, petitioner is on the cross roads of his life and his entire career is at stake. Any further preventive custody, would severely jeopardize his future prospects.

11. Considering the overall scenario, I am of the view that no useful purpose would be served to keep the petitioner in further preventive custody. In the premise, without commenting on the merits of the case, the instant petition is allowed.

12. The petitioner shall be released on bail on his furnishing bail bonds and surety bonds to the satisfaction of concerned Chief Judicial Magistrate/ Duty Magistrate, as the case may be.

**JUNE 18, 2021**  
Shalini

**(ARUN MONGA)**  
**JUDGE**

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No