

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

214

**CRM-M-20271-2021
Decided on : 05.10.2021**

Sukhdeep Singh @ Raja

. . . Petitioner(s)

Versus

State of Punjab

. . . Respondent(s)

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

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

Mr. Luvinder Sofat, AAG, Punjab
assisted by DSP Bharat Bhushan.

MANJARI NEHRU KAUL, J. (Oral)

The instant petition has been filed under Section 439 Cr.P.C. for grant of bail to the petitioner in case FIR No. 317, dated 04.09.2020 (Annexure P-1), under Sections 363, 366-A of IPC, registered at Police Station Faridkot, District Faridkot, Punjab.

Learned counsel for the petitioner submits that the petitioner has been in custody since 18.10.2020, in a case of false implication, which finds credence from the statement of the victim, who is 17 years and 10 months old, recorded under Section 164 Cr.P.C., wherein, she has categorically stated that she had accompanied the petitioner of her own accord and the petitioner had neither lured her on the pretext of performing marriage nor had committed any wrong with her.

The State has filed a short reply by way of affidavit Ravi Sher Singh, PPS, Deputy Superintendent of Police, Sub-Division Faridkot, District Faridkot. Same is taken on record, subject to all just exceptions. Office to tag the same at appropriate place.

Learned State counsel while inviting the attention of this Court to the reply, has conceded that the victim (aged 17 years and 11 months

old), did not level any allegations, much less, of any wrong doing *qua* the present petitioner and had even declined to subject herself to medical examination.

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

The petitioner has been in custody since 18th October, 2020 and there is no likelihood of the trial concluding anytime in the near future, therefore, no useful purpose would be served from his further incarceration.

In the facts and circumstances of the case as enumerated hereinabove, the petition is allowed. The petitioner be admitted to bail to the satisfaction of trial Court/Duty Magistrate. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

(MANJARI NEHRU KAUL)
JUDGE

October 05, 2021

J.Ram

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