

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH

CRM-M No.22935 of 2021 (O&M)

Date of Decision:29.07.2021

(Heard through VC)

Simarpreet Singh

...Petitioner

Versus

State of Punjab and another

...Respondents

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Varun Sharma, Advocate
for the petitioner.

Ms. Rashmi Attri, AAG, Punjab.

Mr. Sehaj Mahajan, Advocate
for the complainant.

JAISHREE THAKUR, J. (ORAL)

This is a petition that has been filed under Section 439 Cr.P.C.
for grant of regular bail to the petitioner in FIR No.78 dated 17.05.2021
registered under Sections 363, 366A IPC at Police Station Kartarpur,
District Jalandhar.

Learned counsel for the petitioner herein would contend that
the petitioner has been falsely implicated in the said FIR. It is argued that
the complainant had got the said FIR registered on apprehension that
unknown persons had enticed away her minor daughter Bharti on the pretext
of marriage. However, on coming to know the fact that her daughter herself
had gone to petitioner and no wrong had been done to her, the complainant
has suffered an affidavit dated 28.05.2021 stating that she does not want to
take any action against the petitioner.

At this stage, appearance has been caused on behalf of the complainant, who would submit that she has no objection in case regular bail is allowed to the petitioner herein.

Learned counsel appearing on behalf of the respondent-State opposes grant of bail to the petitioner by contending that complainant is yet to be examined, however, is not in a position to dispute the fact that investigation has been completed and the challan stands presented.

I have heard learned counsel for the parties. Keeping in view the fact that the investigation has been completed and the challan stands presented and moreover, the matter has been compromised between the parties and the trial is likely to take some time to conclude, no useful purpose would be served in keeping the petitioner behind bars. The instant petition is allowed and the petitioner is directed to be released on regular bail on execution of adequate personal/surety bond to the satisfaction of concerned trial Court/Duty Magistrate. However, any observation made herein shall not be construed to be an expression on merits of the case. If the petitioner is found indulging in any similar activity, the respondent-State would be at liberty to move an appropriate application for cancellation of bail granted to the petitioner.

July 29, 2021
Pankaj*

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No