

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

CRM-M-36510-2020 (O&M)

Date of decision: 08.04.2021

Pargat Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR.JUSTICE H.S. MADAAN

Present: Mr. H.S. Batth, Advocate for the petitioner.

Mr. J.S. Ghuman, DAG, Punjab.

H.S. MADAAN, J.

Case taken up through video conferencing.

Custody certificate filed be taken on record.

This petition for regular bail has been filed by petitioner Pargat Singh, an accused in FIR No.73 dated 05.05.2020, for offences under Sections 363, 366, 376-DA, 148, 149, 120-B IPC and Sections 3, 4 & 5 Protection of Children from Sexual Offences Act, 2012, registered with Police Station Khalra, District Tarn Taran.

Briefly stated facts of the case are that, prosecutrix aged about 16 years was kidnapped by Avtar Singh @ Taru, resident of Kalsiya Khurd, on the pretext of solemnizing marriage with her; Avtar Singh @ Taru happens to be son of the present petitioner Pargat Singh; Jasbir Kaur mother of the prosecutrix had lodged the FIR in which she named the present petitioner Pargat Singh, his wife Paramjit Kaur,

another son Lovepreet Singh and daughter in-law Roop Kaur being also involved in the conspiracy hatched for the incident; after registration of the FIR, the investigation in the case started; the petitioner was arrested in this case.

The petitioner had filed petition for regular bail before the Court of Sessions at Tarn Taran but the same was dismissed. As such, he has knocked at the door of this Court craving for grant of similar relief, by way of filing the present petition, which is being resisted by the State counsel.

I have heard learned counsel for the parties besides going through the record.

In the FIR, the complainant has named the petitioner as part of the conspiracy to kidnap her minor daughter. The main accused in this case happens to be Avtar Singh @ Taru, son of the petitioner. The allegations of rape etc., are also against Avtar Singh @ Taru. The petitioner is stated to be an old person, who is in custody for the last more than 10 months as is reflected in the custody certificate placed on record by the State counsel. The conclusion of trial is likely to take some time and the guilt of accused shall be determined during the trial. Therefore, I find it proper and appropriate to accept the present petition and grant benefit of regular bail to the petitioner. Therefore, the present petition is allowed. The petitioner is ordered to be released on bail on his furnishing bail bonds and surety bonds to the satisfaction of trial Court/CJM/Duty Magistrate, Tarn Tarn, subject to the following conditions:-

(i) he shall appear in the Court on each and every date of

hearing;

(ii) he shall not give any threat or intimidation to the prosecution witnesses;

(iii) he shall not indulge in any criminal activity;

(iv) he shall not leave India without prior permission of the Court and shall surrender his passport, if he has got one, otherwise to furnish affidavit in that regard;

In case the petitioner violates any term and condition on which the bail has been granted to him, the prosecution would be entitled to apply for cancellation of bail.

08.04.2021

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(H.S. MADAAN)
JUDGE

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