

216.

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

CRM-M-42464-2021

Date of Decision: 13.10.2021

(Heard through VC)

RAJESH

.... Petitioner

Versus

STATE OF PUNJAB

.... Respondent

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Daygeesh Kumar Bhatti, Advocate,
for the petitioner.

Ms. Rashmi Attri, AAG, Punjab.

JAISHREE THAKUR.J (Oral)

The instant petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No.150, dated 01.07.2021, registered under Sections 363/366A of IPC at Police Station Rama Mandi, District Jalandhar.

Learned counsel for the petitioner would contend that the petitioner has been falsely implicated as would be evident from the statement given by the prosecutrix herself who wanted to leave her house on account of the fact that the parents were forcing her to get marry. It is argued that as per the statement given by the prosecutrix, daughter of the complainant, she has clearly stated that no act has been done by the petitioner herein. Counsel would also rely upon the fact that the

mother of the prosecutrix and the prosecutrix herself refused to get the medical done. It is further contended that the matter has been investigated and the challan has been presented and, therefore, the custody of the petitioner would no longer be required.

On the other hand, learned counsel appearing on behalf of the respondent-State opposes the grant of regular bail, however, is not in a position to deny the fact that the statement of the prosecutrix has been recorded and she has not supported the prosecution version.

I have heard learned counsel for the parties.

Keeping in view the fact the petitioner is in custody since 01.07.2021, the matter stands investigated and challan presented and the fact that trial in the case will take some time to conclude, this Court deems it appropriate to release the petitioner on regular bail.

Accordingly, the instant petition is allowed and the petitioner is directed to be released on regular bail on execution of adequate personal bond and surety bond to the satisfaction of concerned trial Court/Duty Magistrate. However, any observation made herein shall not be construed to be an expression of opinion on merits of the case.

(JAISHREE THAKUR)
JUDGE

13.10.2021

sanjeev

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