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

**CRM-M-42345-2020
Date of decision-08.02.2021**

Shashi Bhushan @ Pintu**....Petitioner****Vs.****State of Punjab****...Respondent****CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ****Present:** Mr. Sunny Kumar Singla, Advocate for the petitioner.

Mr. Sandeep Singh Deol, DAG, Punjab.

MANOJ BAJAJ, J.

Petitioner has filed this petition under Section 439 Cr.P.C for grant of regular bail pending trial in case FIR No.173 dated 05.09.2020 registered under Section 363 and 366-A Indian Penal Code, 1860 at Police Station Sadar Ahmadgarh, District Sangrur. The petitioner is in custody since his arrest on 10.09.2020.

The FIR was registered on the basis of complaint made by complainant-Umesh Chand and the allegations as noticed by the learned Addl. Sessions Judge, Sangrur in the order dated 14.10.2020 are as under:-

“From the record, it is evident that Umesh Chand (complainant) has set the police machinery into motion by suffereing statement before police, on the basis of which FIR No.0173 dated 05.09.2020, u/s 363, 366-A IPC was registered against unknown person, initially, the reason is quite evident that, at the relevant point of time,

the complainant was not known as to how, his daughter had went missing on 31.08.2020, as told to him by his other daughter, that when duo had come back from market, the victim on the pretext of filling the water in the bottle, had not come back, to Sainik Factory houses, wherein, the elder daughter of the complainant and other siblings of the complainant were putting up residence.”

Learned counsel for the petitioner has argued that the victim got her statement recorded under Section 164 Cr.P.C and disowned the allegations levelled by her father. He has invited the attention of the Court to the said statement which is reproduced in paragraph 3 of the petition, wherein she candidly stated that she is inclined to marry Pintu @ Shashi Bhushan (petitioner), who had not taken her anywhere. He has pointed out that the investigation in the case is complete as the final report has been filed. He prays that the petitioner be released on bail during the pendency of the trial.

On the other hand, learned State counsel assisted by ASI Vijay Kumar has opposed the prayer on the ground that the specific allegations were made by the father of the girl, therefore, the petitioner does not deserve the concession of regular bail. However, he does not dispute this fact that the investigation of the case is complete.

After hearing the learned counsel for the parties, this Court finds that the investigation of the case is complete as the final report stands filed on 05.11.2020, however, charges are yet to be framed. Admittedly, the petitioner is presently confined in judicial custody since 10.09.2020 and his further detention may not be necessary for any useful purpose.

Resultantly, without meaning any expression of opinion on the

merits of the case, it is ordered that the petitioner be released on regular bail subject to his furnishing requisite bail bonds/surety bonds to the satisfaction of the trial Court concerned.

The petition is allowed.

08.02.2021

vanita

Whether speaking/reasoned :
Whether Reportable :

Yes
Yes

(MANOJ BAJAJ)
JUDGE

No
No