

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

CRM-M-46782-2021
Decided on : 29.11.2021

Manpreet Singh @ Shiv Lal

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. J.K.Singla, Advocate
 for the petitioner.

Mr. Luvinder Sofat, AAG, Punjab.

Manjari Nehru Kaul, J.

Instant petition has been filed under Section 439 Cr.PC for grant of regular bail to the petitioner in case FIR No.209 dated 15.07.2021 registered under Sections 363, 366 IPC, 1860 at Police Station Sadar Mansa District Mansa.

Learned counsel for the petitioner contends that the petitioner and the victim, who was just couple of months short of attaining the age of majority, were in a relationship, which however, was not acceptable to the victim's family. It was in the aforementioned background that the FIR in question came into existence at the instance of the father of the victim wherein false allegations were levelled against the petitioner. He submits that the false implication of the petitioner finds credence from the fact that while recording her statement under Section 164 Cr.PC, the victim did not level any allegations against the petitioner much less of any wrong doing, rather she stated that she had accompanied him of her own accord. A prayer has, therefore, been made to extend the concession of bail to the petitioner

as there is no likelihood of the trial concluding in the near future, more so, as 17 prosecution witnesses have been cited and none has been examined till date.

Per contra, learned State counsel on instructions from ASI Jagdev Singh has not been able to controvert the submissions made by counsel opposite with respect to the contents of the statement of the victim recorded under Section 164 Cr.PC. He has further submitted that charges stand framed and the next date of hearing before the trial court is 16.12.2021 when the prosecution evidence is likely to commence.

Heard learned counsel for the parties and perused the material available on record.

In the facts and circumstances of the case as enumerated hereinabove coupled with the fact that the petitioner has been in custody since 06.08.2021, there is no likelihood of the trial concluding in the near future, the present petition is allowed. The petitioner be admitted to bail to the satisfaction of the trial Court/Duty Magistrate concerned. 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

29.11.2021

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Whether speaking/reasoned:	Yes/No
Whether reportable :	Yes/No