

CRM-M-46923-2021
Decided on : 17.12.2021

Rajpreet Singh @ Nikka

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAULPresent : Mr. I.S.Dhaliwal, Advocate
for the petitioner.

Mr. Luvinder Sofat, AAG, Punjab.

MANJARI NEHRU KAUL, J.

Instant petition has been filed under Section 439 Cr.P.C., for grant of regular bail to the petitioner in case FIR No.232 dated 18.08.2021 under Sections 363, 366-A, 120-B IPC, 1860 registered at Police Station Lambi District Sri Muktsar Sahib.

While inviting the attention of this Court to the allegations levelled in the FIR in question as well as in the statement of the victim recorded under Section 164 Cr.PC, learned counsel for the petitioner submits that the only role attributed to the petitioner in the FIR in question is that the main accused Lovepreet Singh allegedly enticed away the victim, aged 17 years 4 months, in connivance with the petitioner. He further submits that on perusal of the contents of the statement of the prosecutrix recorded under Section 164 Cr.PC also it clearly stands reflected that no other allegation other than the aforementioned has been stated by the prosecutrix. A prayer has been made to extend the concession of bail to the petitioner as he has now been in custody since 18.08.2021 and there is no likelihood of the trial concluding in the near future as prosecution evidence has not yet commenced.

Per contra, learned State counsel while opposing the prayer made by counsel opposite, on instructions from ASI Sukhmander Singh, has not been able to controvert the factual aspect of the submissions made by the counsel for the petitioner with respect to the role attributed to him.

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

In the facts and circumstances of the case as enumerated hereinabove as well as the submissions made by counsel for the parties, instant 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.

17.12.2021
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(MANJARI NEHRU KAUL)
JUDGE

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