

CRM-M-43239-2020
Decided on : 16.09.2021

Jonpreet Singh

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAULPresent : Mr. Gursimran Singh Madaan, 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.58 dated 09.08.2020 registered under Sections 363, 366-A, 420, 468, 471 IPC, 1860 and Section 10 of Child Marriage Act, 2006 at Police Station Bakshiwalla District Patiala.

Learned counsel for the petitioner *inter alia* contends that there was no qualitative evidence on record to connect the petitioner with the alleged crime inasmuch as neither did the prosecutrix level any allegations of wrong doing in her statement recorded under Section 164 Cr.PC nor did she subject herself to a medical examination. The petitioner has been in custody since 24.08.2020. There is no likelihood of the trial concluding in the near future as subsequent to the registration of FIR in question, only charges have been framed. Hence, a prayer has been made for extending the concession of bail to the petitioner.

Per contra, learned State counsel while opposing the prayer of

learned counsel for the petitioner has not been able to controvert the factual

aspect of the submissions made by learned counsel for the petitioner. He on instructions from ASI Baljit Singh has however submitted that the victim was a minor on the date of alleged occurrence.

Heard.

In view of the submissions made by learned counsel and the fact that the petitioner has been in custody since 24.08.2020, the trial is unlikely to conclude in the near future. Hence, the present petition is allowed and the petitioner is admitted to bail to the satisfaction of the trial Court/Duty Magistrate. 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

16.09.2021

sonia

Whether speaking/reasoned:

Yes/No

Whether reportable :

Yes/No