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

CRM-M-66-2021(O&M)

Date of Decision: 13.08.2021

(Heard through V.C.)

Gurmeet Singh @ Geeta

...Petitioner

Versus

State of Punjab

...Respondent

2.

CRM-M-11009-2021(O&M)

Lovepreet Singh @ Labhu

...Petitioner

Versus

State of Punjab

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: Mr. M.K. Bhatnagar, Advocate and
Mr. Gursimran Singh, Advocate for the petitioners.

Ms. Rashmi Attri, A.A.G., Punjab.

JAISHREE THAKUR, J. (Oral)

The present petitions are being disposed of by this single judgment as common questions of law and facts are involved therein.

Both these petitions have been filed for grant of regular bail to the petitioners who are in custody in FIR No.190 dated 29.10.2018 under sections 302, 376 and 34 of IPC (later on added Section 4 of POCSO Act) registered at Police Station Chattiwind, District Amritsar Rural.

Learned counsel for the petitioners would contend that they have been falsely implicated in the said FIR on a statement given by the father of the deceased to the effect that the petitioners herein had forcibly tried to marry his daughter, with Lovepreet Singh @ Labhu. It is argued that there is an allegation in the said FIR that the accused forcibly tried to give medicines to his daughter and after forcibly giving her the medicines, they ran away from the house. On account of the medicines administered, the daughter of the complainant expired. It is also argued that there is an allegation that Lovepreet Singh @ Labhu, the petitioner in CRM-M-11009-2021- had sexually abused the deceased. It is submitted that the allegations of rape having been committed upon the deceased are not supported by the FSL report and the allegation *qua* administering poisonous substance too is not supported with the Viscera report. It is further argued that the material witnesses have already been examined and therefore, the question of the petitioners herein influencing them would not arise. Apart from the material witnesses having been examined, it is argued that the trial is not likely to conclude and therefore, they ought to be released on regular bail.

Learned counsel for the respondent-State opposes the grant of regular bail but is not in a position to dispute the fact that the Viscera report does not find mention of any poisonous substance and the fact that the material witnesses have been examined.

I have heard counsel for the parties and have also perused case file.

Keeping in view the fact that out of 28 witnesses cited only two have been examined and the trial is likely to conclude in the near future, besides the facts as noticed above and without commenting on the merits of the case, the petition is allowed and the petitioner is ordered to be released on regular bail on his furnishing adequate bail bonds amounting to Rs.50,000/- and surety in the like amount, to the satisfaction of trial Court/Duty Magistrate concerned. Any observation made hereinbefore are purely for the purpose of deciding this bail application and shall not be constructed as observation on merits of the case.

13.08.2021
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(JAISHREE THAKUR)
JUDGE

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