

**In The High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-2212-2021 (O&M)
Date of Decision:- 21.1.2021

Manpreet Singh Alias Tota ... Petitioner

Versus

State of Punjab ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Nirmaljeet Singh Sidhu, Advocate, for the petitioner.

Mr. Ajay Pal Singh Gill, DAG, Punjab,
assisted by SI Jaspreet Kaur.

(Proceedings conducted through video conferencing)

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner seeks grant of regular bail in a case registered vide FIR No.203, dated 9.9.2020, Police Station Maur, District Bathinda, under Sections 376, 363, 366, 313 IPC.
2. The FIR was lodged at the instance of the victim wherein she has alleged that she is aged about 20 years and is a Matriculate and that the petitioner Manpreet Singh has some relatives living in the

neighbourhood and as such he used to visit the village frequently and she became friends with the aforesaid Manpreet Singh @ Tota and they started talking with each other on phone. It is alleged that on 11.6.2020, Manpreet Singh called her and told her that both of them are major and they could solemnize marriage and that he will come to her village and will take her along to his village. It is further stated therein that Manpreet Singh accordingly took her on his bike to his village Kamalo where he kept her in a house taken on rent from one Manvinder Singh and established physical relations with her against her wishes on the pretext of solemnizing marriage and had also obtained her signatures on blank papers. It is alleged that later said Manpreet Singh started quarreling with her and also gave beatings to her and that during the said period she had also conceived but Manpreet administered some pills to her on account of which the foetus was aborted.

3. Learned counsel for the petitioner has submitted that even if the allegations as levelled in the FIR are taken to be correct, it is apparently a case where the victim had accompanied the petitioner out of her own free will and had stayed with him but subsequently on account of certain pressure she had left the company of the petitioner.
4. Opposing the petition, learned State counsel has submitted that since specific allegations have been levelled in the FIR which have been duly reiterated by the complainant when her statement was recorded in terms of Section 164 Cr.P.C., no case for grant of bail is made out. Learned State counsel has however, informed that challan already

stands presented and that the petitioner as on date has been behind bars since the last more than 4 months.

5. Having regard to the facts and circumstances of the case and while noticing that the victim is a major and that challan already stands presented, further detention of the petitioner will not serve any useful purpose. The petition, as such, is accepted and the petitioner is ordered to be released on bail subject to his furnishing bail bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

January 21, 2021

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(GURVINDER SINGH GILL)
JUDGE

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No