

212 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-50773-2021

Date of Decision: 14.12.2021

PAWAN SINGH @ PAWAN SIDHU ... PETITIONER
VS.
STATE OF PUNJAB .. RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present : Mr. Neeraj Madaan, Advocate
for the petitioner.

Ms. Ruchika Sabherwal, AAG, Punjab.

VIVEK PURI, J.(ORAL)

The matter has been taken up through video-conferencing due to COVID-19 pandemic.

Through instant petition, the petitioner is seeking regular bail in case bearing FIR No. 0088 dated 02.07.2021 under Sections 363, 366-A IPC and under Section 120-B IPC and 192 of M.V.Act (added later on) registered at Police Station Sadar Malout, District Shri Muktsar Sahib.

Briefly, the aforesaid FIR has been registered on the basis of the statement of father of the victim alleging that the victim is aged about 17 years and has been kidnapped by Nimma Singh by alluring her on the pretext of marriage. It has been further stated that Pawan Singh @ Pawan Sidhu-petitioner alongwith Ravi Kumar @ Raju, Deep Sekhon and Raji, co-accused, had supported Nimma Singh in kidnapping of the daughter of the complainant.

It has been contended by learned counsel for the petitioner that the investigation of the case qua the petitioner is complete, challan has been presented, the similarly placed co-accused, namely, Rajji @ Rajpreet Singh, Ravi Kumar @ Raju and Gursharandeep Singh @ Deep Sekhon have

already been granted bail by a Coordinate Bench of this Court. It has been further argued that there is delay of four days in lodging of FIR, the version against the petitioner has been concocted as a result of afterthought, he is in custody since 05.07.2021 and not involved in any other case.

Custody certificate of the petitioner filed in the Court through e-mail, is taken on record.

Learned State counsel, on instructions from ASI Sawinder Singh, has not disputed the aforesaid factual aspect, but has stated that the minor victim has not yet been recovered.

Be that as it may, similarly placed co-accused have already been granted bail and in such circumstances, the petitioner becomes entitled to bail on the principle of parity. Moreover, the investigation qua the petitioner has already been completed, challan has been presented, the conclusion of trial is likely to take some time and no fruitful purpose would be served by detaining the petitioner in further custody.

In these set of circumstances, without making any observation on the merits of the case, the petition is allowed. Petitioner is order to be released on bail, subject to his furnishing bail/surety bonds to the satisfaction of trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

14.12.2021
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(VIVEK PURI)
JUDGE

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