

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

CRM-M-9227-2022 (O&M)

Date of Decision: 09.03.2022

JASPREET SINGH

... PETITIONER

V/S

STATE OF UT CHANDIGARH

... RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Mr. Anoop Verma, Advocate for the petitioner.

Mr. J.S.Toor, Addl. P.P. U.T. Chandigarh.

* * *

VIVEK PURI, J. (ORAL)

Custody certificate has been placed on record.

Petitioner has prayed for grant of regular bail in case bearing FIR No. 138 dated 12.11.2021, under Sections 363 IPC (366-A, 376(2)(n) IPC and Section 6 of Protection of Children from Sexual Offences Act, added later on), registered at Police Station Mauli Jagran, Chandigarh.

Briefly, the case has been registered on the basis of the statement of the mother of the victim alleging that the victim is aged about 16 years and she went missing from the house on 08.11.2021.

Learned counsel for the petitioner has contended that the petitioner is in custody for a period of 3 months and 15 days. Investigation of the case is complete and challan has already been presented in the Court. Furthermore, it had emerged in the statement of the victim that she herself went with the petitioner to Bathinda and he had not committed any wrongful act with her. Even the victim had refused for medical examination and when the bail application was pending before the Court below, the victim had herself stated that she has no objection if the bail is granted to the

petitioner.

Learned State counsel, on instructions of ASI Rajesh, has not disputed the aforesaid factual aspect of the case.

In the instant case, the petitioner has not been named in the FIR, in the statement of the victim, she has not imputed any allegations with regard to exercise of any threat, pressure, force or allurement on the part of the petitioner so that she may leave her parental house, the medical examination of the victim had not been conducted and even she had not objected to the grant of bail to the petitioner in the Court below. Furthermore, investigation of the case is complete and conclusion of trial is likely to take some time. As such, no fruitful purpose would be served by detaining the petitioner in custody.

Therefore, without making any expression of opinion on the merits of the case, it is ordered that the petitioner be released on regular bail subject to his furnishing requisite bail bonds/surety bonds to the satisfaction of the concerned trial Court/Chief Judicial Magistrate/Duty Magistrate.

The petition is allowed.

09.03.2022

Janki

(VIVEK PURI)
JUDGE

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