

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

Sr. No.220

CRM-M-16939-2022

Date of decision: 05.09.2022

Mewa Singh

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr. Naresh Paul Chandel, Advocate
for the petitioner.

Mr. M.S. Nagra, AAG, Punjab.

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DEEPAK SIBAL, J. (Oral)

The present petition has been filed under Section 439 Cr.P.C. for the grant of regular bail in FIR No.49 dated 01.05.2021 registered under Sections 363, 366-A and 120-B IPC at Police Station Banur, District Patiala.

The petitioner is being prosecuted for having conspired with his son Mandeep Singh who enticed and eloped with the complainant's minor daughter.

Learned counsel for the petitioner contends that the petitioner has been falsely implicated in this case because the complainant's daughter has eloped with the petitioner's son; the petitioner has no other criminal antecedents; the petitioner is in custody since 20.07.2021; in the petitioner's trial not only the investigation is over even the complainant stands examined; there is no evidence whatsoever with the prosecution to prove the alleged conspiracy between the petitioner and his son Mandeep Singh leading to the alleged enticement of the complainant's daughter and that and that in view of the afore submissions further incarceration of the petitioner is wholly unnecessary.

Learned State counsel opposes the grant of bail to the petitioner on the ground that the petitioner has conspired with his son Mandeep Singh who enticed and eloped with the complainant's minor daughter.

The petitioner is a senior citizen with no other criminal antecedents; he is in custody since 20.07.2021; investigation in the case is complete; even the complainant stands examined in the petitioner's trial and that since in the petitioner's trial 05 prosecution witnesses still remain to be examined, the same is likely to take a long time to conclude.

Keeping in view the totality of the above facts, the present case is considered to be a fit one in which the petitioner be directed to be released on regular bail. Resultantly, subject to the satisfaction of the CJM/Duty Magistrate, Patiala, the petitioner is directed to be released on bail.

It is clarified that the above observations have been made only for the limited purpose of deciding the present regular bail application and the same would not be construed to be an expression of opinion on the merits of the case.

September 05, 2022
Jyoti 1

(DEEPAK SIBAL)
JUDGE

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