

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

(Sr. No. 211)

CRM-M No. 22451 of 2022

Date of decision : 27.05.2022

Gurdit Singh @ Gurdita Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM : HON'BLE MR. JUSTICE DEEPAK SIBAL

Present : Mr. Pankaj Garg, Advocate for the petitioner.

Ms. Gunkirat Kaur, AAG, Punjab.

Mr. Priyanshu Kamra, Advocate for the complainant.

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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.38 dated 13.02.2022 registered under Sections 363 and 366 IPC at Police Station Sadar, district Mansa.

The petitioner is being prosecuted for having kidnapped the complainant's minor daughter.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in this case as he was in a relationship with the complainant's daughter which was not consented to by the complainant; the petitioner has no other criminal case pending against him; in the statement made by the alleged victim under Section 164 Cr.P.C. she has specifically exonerated the petitioner; even in the statement made by the victim under Section 161 Cr.P.C. she has given the petitioner a clean chit; the matter between the petitioner and the complainant - the alleged victim's father has also been compromised; the petitioner is in custody since 21.02.2022;

investigation in the case is complete and therefore the petitioner is not in a position to influence the same and that in the light of the afore developments/submissions further incarceration of the petitioner is unnecessary.

Learned State counsel does not dispute the afore factual position.

Even learned counsel appearing for the complainant submits that he has no objection if the petitioner is granted regular bail.

After considering the afore submissions and without commenting on the merits of the case, this Court is of the opinion that the present case is 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, Mansa 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.

27.05.2022*sunil yadav***(DEEPAK SIBAL)
JUDGE**

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No