

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

(Sr. No. 214)

CRM-M No. 49521 of 2021

Date of decision : 14.07.2022

Karanjeet Singh

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR. JUSTICE DEEPAK SIBAL

Present : Mr. Ramneek Vasudeva, Advocate for the petitioner.

Mr. Saurav Khurana, DAG, 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.0191 dated 26.10.2018 registered under Sections 376, 384, 365, 506 and 120-B IPC at Police Station Punjab Agriculture University (PAU), Ludhiana.

Briefly stated, the case of the prosecution is that co-accused Lakhwinder Singh @ Lakha befriended the prosecutrix and then raped her. Thereafter, he threatened her with dire consequences in case she disclosed to anyone the factum of him having raped her. Later, the petitioner, along with co-accused Rajinder Singh and Satwinder Singh @ Gippi, kidnapped the prosecutrix only to exert further pressure upon her so as to not disclose to anyone that Lakhwinder Singh @ Lakha had raped her.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in this case; there is no allegation of rape qua the petitioner; the petitioner is in custody since 23.09.2021; he is not involved in any other criminal case; all the material prosecution witnesses including the prosecutrix stand examined before the Trial Court; co-accused Lakhwinder Singh @ Lakha who is alleged to have committed rape upon the prosecutrix had earlier approached this Court for the grant of regular bail through CRM-M No.2729 of 2020 – Lakhwinder Singh @ Lakha Vs. State of Punjab which petition of his was allowed on 26.07.2021; similarly placed co-accused Rajinder Singh and Satwinder Singh @ Gippi who also had earlier approached this Court through CRM-M No.2343 of 2019 – Rajinder Singh Vs. State of Punjab and CRM-M No.24385 of 2021 – Satwinder Singh @ Gippi Vs. State of Punjab, respectively have also been granted regular bail and that since 31 prosecution witnesses still remain to be examined in the petitioner's trial, the same will take a long time to conclude.

Learned State counsel opposes the grant of bail to the petitioner on the ground that he, along with his co-accused, kidnapped the prosecutrix and conspired with the main accused who raped her.

The petitioner is in custody since 23.09.2021; he is not involved in any other criminal case; all material prosecution witnesses including the prosecutrix have since been examined; co-accused Lakhwinder Singh @ Lakha who is alleged to have raped the prosecutrix has been granted regular bail by this Court; there is no allegation that the

petitioner actually raped the prosecutrix; similarly placed co-accused Rajinder Singh and Satwinder Singh @ Gippi have also been granted regular bail by this Court and that since 31 prosecution witnesses still remain to be examined, the petitioner's trial is likely to take a long time to conclude.

In view of the above, 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, Ludhiana, 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.

14.07.2022*sunil yadav***(DEEPAK SIBAL)
JUDGE**

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No