

CRM-M-14986-2023

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH

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Date of Decision:-04.05.2023

Harpreet Singh .....Petitioner

Versus

State of Punjab .....Respondent

**CORAM: HON'BLE MR. JUSTICE ALOK JAIN**

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Present: Mr.N.S.Dadwal, Advocate  
for the petitioner

Mr.Arun Gupta, AAG Punjab

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**ALOK JAIN, J. (Oral)**

1. Prayer is for grant of regular bail to the petitioner in case FIR No.0093 dated 27.10.2022, under Sections 363, 366-A and 120-B IPC (added later on), registered at Police Station Sudhar, District Ludhiana Rural.
2. Learned counsel for the petitioner submits that in fact, the prosecutrix and the main accused have got married and the petitioner is the younger brother of the boy, with whom the victim/prosecutrix has got married. He further submits that the petitioner is in custody since 27.12.2022.
3. Custody certificate dated 02.05.2023 filed by the learned State counsel is taken on record.

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4. Learned State counsel submits that the petitioner was an accomplice with the main accused in enticing away a minor girl. However, he could not deny the fact that the victim has married the brother of the petitioner, with whom she had enticed away.

5. After hearing learned counsel for the parties and considering the aforesaid facts, coupled with the fact that the petitioner is a young boy of 20 years old and is in custody since 27.12.2022 and the trial is likely to take long time, no useful purpose would be served by keeping the petitioner in custody.

6. Without commenting upon the merits, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail and surety bonds to the satisfaction of the trial Court/Duty Magistrate, concerned. He shall, however, be released on the following conditions:

- I. The petitioner shall declare his ordinary place of residence and the mobile number used by him.
- II. He will not switch off his mobile and in case of any technical glitch, he has to give an alternate number, which will be available in his absence.
- III. He will mark his presence before the SHO concerned, after every 15 days and in case the SHO refuses to mark his presence, he is permitted to make an application before the Illaqa Magistrate, concerned.
- IV. He will not leave the country without the prior permission of the Court, for which he will submit the copy of his passport also.

7. The petitioner shall abide by the terms and conditions as imposed in addition to Section 439 of Cr.P.C.

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8.                However, nothing stated above shall be construed as a final expression of opinion on the merits of the case.

04.05.2023  
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(ALOK JAIN)  
JUDGE

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