

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

212

**CRM-M No. 26060 of 2022
Date of Decision : 30.1.2023**

Ranjit Singh alias Ranjeet Singh alias Jeet Singh alias Kali *Petitioner*
versus

State of Punjab *Respondent*

CORAM: HON'BLE MR. JUSTICE TRIBHUVAN DAHIYA

Present: Mr. Tarun Singla, Advocate, for the petitioner
Mr. Harpreet Singh, Addl. AG, Punjab

TRIBHUVAN DAHIYA J. (ORAL):

This is a petition under Section 439 Cr.P.C. seeking regular bail in case FIR No.2 dated 3.1.2022 under Sections 363, 366-A and 34 IPC (Section 376 IPC and Sections 3 and 4 of POCSO Act, 2012 added later on), registered at Police Station City Rampura, District Bathinda.

The FIR was lodged on the complaint of victim's father alleging that his daughter, aged about fifteen years and nine months, was untraceable. It was stated that the petitioner had enticed her away on the pretext of getting married.

Learned counsel for the petitioner contends that the petitioner and the complainant's daughter had an affair, that is why they ran away from home on 30.12.2021 and stayed for five days at Amritsar. They were apprehended on 4.1.2022 and subsequent to that offence under Sections 376 IPC and Sections 3 and 4 of POCSO Act, 2012 were added. However, in the victim's statement recorded under Section 164 Cr.P.C. (Annexure P-2), there is no allegation of rape against the petitioner.

Learned State counsel, on instructions from ASI Baljit Singh,

states that trial of the case is going on, and six out of nineteen witnesses have been examined, including the victim and the complainant. He further submits that the petitioner is in custody since 4.1.2022.

In this background, when material witnesses of the prosecution have already been examined and trial is not likely to conclude in near future, no purpose will be served by keeping the petitioner in custody during trial.

Accordingly, the present petition is allowed. The petitioner is ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate.

(TRIBHUVAN DAHIYA)
JUDGE

30.1.2023
Ashwani

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