

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

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**CRM-M No.42116 of 2022
Date of Decision : 16.1.2023**

Sagar

..... Petitioner

versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE TRIBHUVAN DAHIYA

Present: Mr. A.S. Samra, Advocate, for the petitioner
Mr. Jashandeep Singh, AAG. Punjab

TRIBHUVAN DAHIYA J. (ORAL):

This is a petition under Section 439 Cr.P.C. seeking regular bail to the petitioner in case FIR No.65 dated 4.4.2022 under Sections 363 and 366-A IPC, registered at Police Station City Sunam, District Sangrur.

The FIR was lodged on the victim's mother's complaint that her daughter had gone missing and she was clueless about her whereabouts.

Learned counsel for the petitioner refers to the statements of the victim, recorded under Section 161 Cr.P.C. (Annexure P-3) and under Section 164 Cr.P.C. (Annexure P-4), wherein she has stated that she accompanied the petitioner on her own. She even refused to get her physical examination conducted by the doctor. She has also stated that her mother did not want her to marry the petitioner on account of fear of being left alone. It has also been submitted that the victim has not supported the prosecution version before the trial Court.

Learned State counsel, on instructions from ASI Krishan Kumar, submits that four out of fifteen witnesses have been examined, which includes the victim, her mother, the Investigating Officer and the doctor concerned.

Only formal witnesses remained to be examined. The petitioner is in custody since 9.4.2022.

In view of the aforesaid, keeping in view the fact that the petitioner is in custody for about nine months and trial of the case will take a long time to conclude, this Court is of the view that he deserves to be released on bail.

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

16.1.2023
Ashwani

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