

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

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**CRM-M-49268-2022
Date of Decision : 17.1.2023**

Jaskaran Singh

..... Petitioner

versus

The State of Punjab and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE TRIBHUVAN DAHIYA

Present: Mr. J.S. Jaidka, Advocate, for
Mr. Abhishek Khullar, Advocate, for the petitioner

Mr. Kunal Vinayak, AAG, Punjab

Mr. Rahul Raj, Advocate, for
Mr. N.K. Kalia, Advocate, for respondents no.2 and 3

TRIBHUVAN DAHIYA J. (ORAL):

This is a petition under Section 439 Cr.P.C. seeking regular bail to the petitioner in case FIR No.26 dated 15.5.2022 under Sections 363 and 366-A IPC registered at Police Station Bholath, District Kapurthala.

The allegations against the petitioner, as per the FIR, are that he enticed away the complainant's minor daughter aged about 16 years at that time.

Learned counsel for the petitioner contends that the petitioner and the complainant's daughter were known to each other, and he has not done anything wrong to her. He has even referred to a compromise entered into between the parties dated 29.8.2022 (Annexure P-2) wherein it is so recorded. He further submits that no charges under POCSO Act have been framed against the petitioner, and he has been charged only under Section 363 and 366-A IPC. He is in custody since 1.6.2022.

Learned State counsel, on instructions from ASI Jasvir Singh,

is not in a position to deny the aforesaid facts, he, however, states, as trial of the case is fixed for 23.1.2023, bail should not be granted to the petitioner.

In this background and keeping in view the fact that trial of the case is not likely to conclude in near future, it is appropriate that the petitioner be admitted to bail. Accordingly, the 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

17.1.2023
Ashwani

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