

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

Sr. No.219

CRM-M-51084-2022

Date of Decision: 19.01.2023

Sandeep Singh @ Sippy

.... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE TRIBHUVAN DAHIYA

Present: Mr. A.P.S.Sandhu, Advocate
for the petitioner.

Mr. Kunal Vinayak, AAG, Punjab.

TRIBHUVAN DAHIYA, J. (ORAL)

This is a petition under Section 439 Cr.P.C. seeking grant of regular bail in case FIR No.0241 dated 04.12.2021, registered under Sections 363 and 366-A of IPC (Sections 366, 376 IPC, Sections 4 and 6 of Protection of Children from Sexual Offence Act, 2012, were added later on) at Police Station E Division, District Police Commissionerate Amritsar.

The FIR was lodged on the complaint of victim's father alleging that his daughter, aged 16 years, had gone missing. She was enticed away by the petitioner, i.e., nephew of complainant's sister-in-law, on the pretext of getting married to her.

Learned counsel for the petitioner contends that the victim has testified before the trial Court as PW1 and has not supported the prosecution version. The petitioner is in custody since 05.12.2021.

Learned State counsel upon instructions from ASI Lakhbir Singh, opposes the grant of bail by stating that trial is going on and one out of twenty three witnesses has already been examined.

In this background, when the material witness has been examined, who has not supported the prosecution version, and the trial of the case is not likely to conclude in near future, no purpose would be served by keeping the petitioner in custody during trial. Accordingly, the petitioner is ordered to be released on regular bail subject to his furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

Petition stands allowed.

(TRIBHUVAN DAHIYA)
JUDGE

19.01.2023
Maninder

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