



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

225

CRM-M-36355-2024 (O&M)
Date of decision:23.10.2024

JASVIR SINGH ALIAS SEERA SINGH

...Petitioner

Versus

STATE OF PUNJAB

...Respondent

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present: Mr. B.S. Aulakh, Advocate
for the petitioner.

Ms. Himani Arora, AAG, Punjab.

Mr. R.S. Sekhon, Advocate
for the complainant.

HARPREET KAUR JEEWAN, J.

1. The present petition has been filed under Section 483 BNSS for grant of regular bail to the petitioner in case bearing FIR No.47 dated 04.05.2024 under Sections 363, 366-A IPC registered at Police Station Gidderbaha, District Sri Muktsar Sahib.
2. Status report dated 13.10.2024 by way of an affidavit of Avtar Singh, PPS, Deputy Superintendent of Police, Sub-Division Gidderbaha, District Sri Muktsar Sahib along with the documents and custody certificate dated 21.10.2024 have been filed on behalf of the respondent-State, which are taken on record.
3. As per the prosecution case, the case was registered on the basis of a



CRM-M-36355-2024 (O&M) - 2-

complaint given by the father of the prosecutrix with the allegation that the petitioner had enticed away the prosecutrix on the pretext of marriage.

4. Learned counsel for the petitioner contends that the petitioner has been falsely implicated in this case and he is in custody since 06.05.2024. The petitioner is young person of 19 years of age. He further contends that the statement of the prosecutrix, who appeared as PW-1 before the trial Court, has been recorded on 30.09.2024 and statement of the father of the prosecutrix, who appeared as PW-2, before the trial Court, has been recorded on 04.10.2024 and both have not supported the prosecution case. Photocopy of the statements has been submitted in the Court today, which is taken on record. He submits that investigation is complete and final report under Section 173 Cr.P.C. has been presented before the trial Court. He further submits that the trial is going to take time to conclude, as such, prayer for releasing the petitioner on bail has been made.

5. On the other hand, learned State counsel has opposed the bail petition on the ground of gravity of allegations against the petitioner. As per the custody certificate dated 21.10.2024, the petitioner has undergone 05 months and 13 days of custody as under-trial.

6. Learned counsel for the complainant submits that the complainant has no objection, in case the petitioner is ordered to be released on bail.

7. I have heard the learned counsel for the parties and perused the relevant documents.

8. The case was registered on the basis of the complaint given by Raju Singh-father of the prosecutrix that the prosecutrix had been abducted by the petitioner, who had allegedly enticed her away on 30.04.2024. The prosecutrix



CRM-M-36355-2024 (O&M) - 3-

was recovered on 05.05.2024 and her statement under Section 164 Cr.P.C. was also recorded. As per the said statement, the prosecutrix had levelled allegations against the petitioner, however during the examination in the trial Court, the prosecutrix has not supported the prosecution version. There are total 18 witnesses and 2 witnesses have been examined yet, as such conclusion of trial is going to take time. Both the prosecutrix and her father-complainant have not supported the prosecution case. Investigation is complete and final report under Section 173 Cr.P.C. has already presented before the trial Court. As per the custody certificate, there is no other case registered against the petitioner.

9. In view of the above circumstances, the petitioner is able to make out a case to releasing him on bail during the trial, as such, without expressing any opinion on the merits of the case, the present petition is allowed.

10. The petitioner is ordered to be released on regular bail, subject to his furnishing adequate bonds and surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

11. Pending miscellaneous application (s), if any, shall also stand disposed of.

(HARPREET KAUR JEEWAN)
JUDGE

23.10.2024
P.Bhatt

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