
Manpreet Singh Alias Tota Vs State Of Punjab

Criminal Miscellaneous Petition (M) No. 2212 Of 2021 (O&M)

Court: High Court Of Punjab And Haryana At Chandigarh

Date of Decision: Jan. 21, 2021

Acts Referred:

Indian Penal Code, 1860 " Section 313, 376, 363, 366#Code Of Criminal Procedure, 1973
" Section 164

Hon'ble Judges: Gurvinder Singh Gill, J

Bench: Single Bench

Advocate: Nirmaljeet Singh Sidhu, Ajay Pal Singh Gill

Final Decision: Allowed

Judgement

Gurvinder Singh Gill, J

1. The petitioner seeks grant of regular bail in a case registered vide FIR No.203, dated 9.9.2020, Police Station Maur, District Bathinda, under

Sections 376, 363, 366, 313 IPC.

2. The FIR was lodged at the instance of the victim wherein she has alleged that she is aged about 20 years and is a Matriculate and that the

petitioner Manpreet Singh has some relatives living in the neighbourhood and as such he used to visit the village frequently and she became friends

with the aforesaid Manpreet Singh @ Tota and they started talking with each other on phone. It is alleged that on 11.6.2020, Manpreet Singh called

her and told her that both of them are major and they could solemnize marriage and that he will come to her village and will take her along to his

village. It is further stated therein that Manpreet Singh accordingly took her on his bike to his village Kamalo where he kept her in a house taken on

rent from one Manvinder Singh and established physical relations with her against her wishes on the pretext of solemnizing marriage and had also

obtained her signatures on blank papers. It is alleged that later said Manpreet Singh started quarreling with her and also gave beatings to her and that

during the said period she had also conceived but Manpreet administered some pills to her on account of which the foetus was aborted.

3. Learned counsel for the petitioner has submitted that even if the allegations as levelled in the FIR are taken to be correct, it is apparently a case

where the victim had accompanied the petitioner out of her own free will and had stayed with him but subsequently on account of certain pressure she

had left the company of the petitioner.

4. Opposing the petition, learned State counsel has submitted that since specific allegations have been levelled in the FIR which have been duly

reiterated by the complainant when her statement was recorded in terms of Section 164 Cr.P.C., no case for grant of bail is made out. Learned State

counsel has however, informed that challan already stands presented and that the petitioner as on date has been behind bars since the last more than 4

months.

5. Having regard to the facts and circumstances of the case and while noticing that the victim is a major and that challan already stands presented,

further detention of the petitioner will not serve any useful purpose. The petition, as such, is accepted and the petitioner is ordered to be released on

bail subject to his furnishing bail bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.