

In the High Court of Punjab and Haryana at Chandigarh

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Criminal Misc. No.M-27840 of 2015

.....

Date of decision:25.8.2015

Niranjan Singh

...Petitioner

v.

State of Punjab

...Respondent

....

Coram: Hon'ble Mr. Justice Inderjit Singh

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Present: Mr. Vipul Dharmani, Advocate for the petitioner.

Mr. B.S. Bhullar, Assistant Advocate General, Punjab for the
respondent-State.

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Inderjit Singh, J.

The petitioner has filed this petition under Section 439 Cr.P.C. for grant of regular bail in case FIR No.78 dated 8.6.2015 registered for the offences under Sections 376, 511 and 450 IPC and Sections 4 and 18 of the Protection of Children from Sexual Offences Act, 2012 at Police Station Nurpur Bedi, District Ropar.

Notice of motion to Advocate General, Punjab.

On the asking of the Court, Mr. B.S. Bhullar, learned Assistant Advocate General, Punjab, has put in appearance and accepted notice on behalf of the respondent-State and contested this petition. Police record is also available.

After hearing learned counsel for the petitioner as well as the

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learned State counsel, I find that the FIR has been registered on the statement of the prosecutrix. The only allegation against the petitioner/accused is that he is her neighbour and came to their house after scaling the wall and after found her alone he caught hold of her from her arm and forcefully pulled her towards the room and also tried to broke the string of her 'Salwar'.

Without discussing the facts in minute detail and without expressing any opinion on the merits of the case, I find that the petitioner is in custody since 7.6.2015. The challan has already been presented. The charge has already been framed against the accused. He is not required for interrogation or investigation purposes as he is in judicial custody. Nothing is to be recovered from him. He is only to face the trial. The trial of the case will take long time. No useful purpose will be served by keeping the petitioner in custody till the final disposal of the case.

Therefore, keeping in view the facts and circumstances of the present case, this criminal miscellaneous petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing personal bond in the sum of ₹40,000/- with one surety in the like amount to the satisfaction of the trial Court/Duty Magistrate.

August 25, 2015.

(Inderjit Singh)
Judge

hsp