

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

CRM-M-35185 of 2015

Date of Decision: November 16, 2015

Veerinder Singh @ Gaggu

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present: Mr. Rajbir Singh, Advocate
for the petitioner.

Mr. C.S. Brar, DAG, Punjab.

FATEH DEEP SINGH, J.

This is a petition under Section 439 Cr.P.C. for grant of regular bail in FIR No.65 dated 18.03.2015 under Sections 377, 34 IPC registered at Police Station Shimlapuri.

The allegations against the petitioner in this regular bail application are that while he was lodged in borstal jail, Ludhiana during trial on 15.6.2014 he sodomised Inderpreet Singh juvenile. The contentions of the learned counsel for the petitioner that FIR has been lodged after delay of nine months and that there is no medical evidence to show any act of sodomising could not be controverted on behalf of the State. Learned State counsel has submitted at bar that neither there is any medical evidence to this effect and it is the sole testimony of the victim which has led to registration of the case. Learned counsel for the petitioner further contends that the petitioner is in custody since 7.4.2015 and that

the trial is not likely to be concluded in near future.

In view thereof and keeping in view that culpability, if any, shall be decided at the time of final decision of the case and that no purpose would be served by keeping the petitioner behind the bars, without adverting anything on the merits of the case, the present petition for grant of regular bail is allowed. Petitioner be admitted to bail to the satisfaction of the trial Court/Duty Magistrate.

(FATEH DEEP SINGH)
JUDGE

November 16, 2015

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