

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Crl. Misc. No. M-23200 of 2016

Date of decision : 27.09.2016

Gurmit Singh

... Petitioner

versus

State of Punjab

... Respondent

CORAM:- HON'BLE MRS. JUSTICE ANITA CHAUDHRY

Present: Mr. M.S. Bedi, Sr. Advocate with
Ms. Manpreet Kaur, Advocate for the petitioner

Mr. V.P.S. Sidhu, AAG Punjab

ANITA CHAUDHRY, J. (ORAL)

The petitioner is seeking regular bail in FIR No. 78 dated 09.04.2016 registered at Police Station Jandiala Guru (District Amritsar) under Sections 354/506 IPC and Section 12 of POCSO Act.

Learned counsel for the petitioner contends that the petitioner is in custody since 29.08.2016 and the allegations initially were that obscene acts were committed. He further urges that the investigation is over and challan had been presented and the complainant is not coming forward to make her statement and the case has been adjourned twice and the case was fixed today as well and has now been adjourned to 12.10.2016. He further states that the statement under Section 164 Cr.P.C. had been recorded after 25 days and the victim was tutored.

Without commenting anything on the merits of the case and considering the fact that the complainant is not appearing before the trial Court despite the fact that the case was twice fixed for prosecution evidence and the trial will take time to conclude, the petition is allowed and the petitioner is ordered to be released on bail on his furnishing adequate bonds to the satisfaction of the trial Court/Duty Magistrate with the condition that petitioner will not make any attempt to tamper with evidence or approach the complainant.

(ANITA CHAUDHARY)
JUDGE

September 27, 2016

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Whether Reasoned/Speaking

Yes/No

Whether Reportable

Yes/No