

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Crl. Misc. No. M-24298 of 2016

Date of decision : 26.07.2016

Simarjit Singh @ Simmi

... Petitioner

versus

State of Punjab

... Respondent

CORAM:- HON'BLE MRS. JUSTICE ANITA CHAUDHRY

Present: Mr. Inderjit Sharma, Advocate
for the petitioner

Mr. K.S. Aulakh, AAG Punjab

Mr. Veneet Garg, Advocate for parents of complainant

ANITA CHAUDHRY, J. (ORAL)

The petitioner is seeking regular bail in FIR No. 17 dated 15.04.2015 registered at Police Station Balianwali, District Bathinda under Sections 376(D)/366/363/120-B IPC and Section 4 of POCSO Act.

Learned counsel for the petitioner contends that five witnesses have been examined including the prosecutrix who has not supported the prosecution version. The counsel urges that the parents have lodged the FIR who have supported the prosecution version and the prosecutrix did not want to stay with her parents and is now living in the Nari Niketan and the FSL report is awaited. The counsel further states that the bail had been allowed to Shamsher Singh @ Reshu.

The victim is said to be 15-16 years old. No material regarding her age has been produced. She is presently lodged in the Nari Niketan. Her statement has also been recorded by the Court. The FSL report is awaited.

Without commenting anything on the merits of the case and considering the fact that 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 rider that the petitioner would not contact the prosecutrix or her family.

July 26, 2016

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**(ANITA CHAUDHRY)
JUDGE**

Whether Reasoned/Speaking

Yes/No

Whether Reportable

Yes/No