

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-26226 of 2016
Date of Decision: 29.11.2016

Gurbej Singh

.....Petitioner

Vs.

State of Punjab

.....Respondent

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present:- Mr.Sanjay Verma, Advocate, for the petitioner.

Ms.Manpreet Dhaliwal, AAG, Punjab.

RITU BAHRI, J. (ORAL)

The prayer in the instant petition filed under Section 439 Cr.P.C. is for grant of regular bail to the petitioner in FIR No.141 dated 26.08.2013 for the offence under Sections 363, 366, 376 IPC and Section 4 of POCSO Act, 2012, registered at Police Station Raman, District Bathinda, Punjab (Annexure P-4).

Petitioner is in custody since 26.12.2014. Learned counsel for the petitioner has referred to the contents of FIR (Annexure P-4) in which this fact has been admitted by the father of the prosecutrix that her daughter Sukhjit Kaur had gone to the house of petitioner after attending tuition on 25.08.2013. The prosecutrix had stated that she had gone there from her own free will and no one allured her to leave the house of her parents. The statement of prosecutrix under Section 161 Cr.P.C. has been placed on record as Annexure P-2 to the same effect. However, she was minor at the time of incident, FIR was got registered.

Learned State counsel submits that out of 14 witnesses, 6 have

been examined. Initially challan was presented under Sections 376, 363, 366 IPC but later on Section 376 IPC was deleted. The prosecutrix has been cross-examined and she has suffered the same version and trial is at its final stage.

Keeping in view that the above and the fact that prosecutrix is minor, no ground is made out to release the petitioner on regular bail. The instant petition is dismissed as such.

(RITU BAHRI)
JUDGE

29.11.2016
anil

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>