

In the High Court of Punjab and Haryana at Chandigarh

CRM-M-31634-2016

Date of decision: 15.09.2016

Ranjit Singh

Petitioner

Vs.

State of Punjab

Respondent

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. B.S.Khehar, Advocate
for the petitioner.

Ms. Manpreet Dhaliwal, AAG, Punjab.

RITU BAHRI,J (ORAL)

The present petition is for release of petitioner on regular bail in FIR No. 62 dated 24.09.2014 under Sections 363, 366, 376 IPC read with Sections 3 and 4 of Protection of Children from Sexual Offences Act, 2012, registered at Police Station Behramput, District Gurdaspur.

As per the allegations made in the FIR, the petitioner had come to the house of his neighbour Nirmal Singh, who is residing in Dubai. At that time, Balbir Kaur, wife of Nirmal Singh was present in the house. The petitioner spent about 2 hours there. The complainant went to the house of his uncle to inquire about well being of his cousin. When the complainant came back, he found that his daughter was missing from the house.

A perusal of statement (Annexure P2), made by Karanjit Kaur before the trial Court, shows that she and her minor son are residing happily in the house of the petitioner and he is maintaining them.

Learned State counsel, on instructions from the Investigating Officer, informed that out of total 18 prosecution witnesses, only 3 have been examined.

I have heard the learned counsel for the parties and with their assistance gone through the material available on record.

The petitioner was in custody w.e.f. 21.07.2015. Since then, he is in judicial custody and no useful purpose would be served to further detain him in jail. The final conclusion of trial will take a long time.

In view of above facts, the present petition is allowed. The

petitioner is ordered to be released on bail on his furnishing adequate bail

bonds and surety bonds to the satisfaction of learned trial Judge/Duty Magistrate, Gurdaspur.

Needless to mention that, nothing observed here-in-above, would reflect, on merits in the trial of the main case, in any manner.

15.09.2016
smriti

(RITU BAHRI)
JUDGE

Whether speaking/reasoned : Yes/No.

Whether reportable Yes/No.