

In the High Court of Punjab and Haryana at Chandigarh

**Crl. Misc. No. M-37996 of 2016
Date of Decision: 11.11.2016**

Sunil Kumar @ Sunny

.....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MRS. JUSTICE ANITA CHAUDHRY

Present: Mr. Ashok Kumar Sama, Advocate
for the petitioner.

Mr. Deep Singh, AAG, Punjab.

Mr. J.S.Grewal, Advocate
for the complainant.

ANITA CHAUDHRY, J(ORAL)

The petitioner is seeking regular bail in FIR No. 77 dated 12.7.2015 registered at Police Station Khuian Sarwar, District Fazilka under Sections 376, 354, 451 IPC and Section 3, 4 of Protection of Children from Sexual Offences Act, 2012.

Counsel for the petitioner contends that petitioner is in custody since 15.7.2015 and he seeks parity with Anju @ Om Parkash who was allowed bail vide Annexure P-3. Counsel further submits that the allegations against the petitioner are that he caught hold of Pushpa from her arms and the allegations are that it was Bugli Devi who was raped by Ved Parkash.

The victim along with her cousin Pushpa Devi had gone to the Nohra around noon. The victim was caught by Ved Parkash and was raped. Meanwhile, Pushpa heard the cries and shouted for help. The allegations

against the petitioner are that he caught hold of Pushpa from her arms while the other accused closed the mouth of the victim. The statement of both the girls had been recorded. The petitioner is in custody for over a year. He is a juvenile and facing trial before the Juvenile Board. The trial will take time.

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 on parity and the petitioner is ordered to be released on bail on his furnishing local surety and adequate bonds to the satisfaction of the trial Court/Duty Magistrate.

(ANITA CHAUDHRY)
JUDGE

November 11, 2016
Gurpreet

Whether speaking/reasoned : **Yes**
Whether reportable : **No**