

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND HARYANA
AT CHANDIGARH

CRR-2313-2016

Date of decision: August 31, 2016.

Joginder Singh @ Kala

... **Petitioner**

v.

State of Punjab

... **Respondent**

CORAM: **HON'BLE MR. JUSTICE A.B. CHAUDHARI**

Present: Ms. Riffi Birla, Advocate for the petitioner.

Ms. Rimpaljeet Kaur, Assistant Advocate General, Punjab.

Ms. Gurvir Kaur Gill, Advocate for the complainant.

A.B. Chaudhari, J. (Oral):

Heard learned Counsel for the rival parties.

In FIR No.41 dated 22.3.2016, registered under Sections 377/34 IPC, Police Station Sadar Fazilka, the petitioner was arrested and is in jail. The main accused, by name Surjit Singh, is in jail, while, according to the petitioner, he had only accompanied the main accused.

Without going into the merits of the matter, I find that the challan has been filed on 15.6.2016. The trial will take its own time; the petitioner is minor, and, therefore, there is no point continuing the detention of the petitioner in jail. At the same time, care will have to be taken to protect the interest of the prosecution witnesses, including the victim who is stated to be disabled. Learned Counsel for the petitioner makes a statement

that the petitioner would not enter village Salemsah till the trial is completed and shall not apply for modification of this condition till the trial is completed. In that view of the matter, the present petition is allowed. Bail to the petitioner to the satisfaction of the trial Judge/Duty Magistrate.

The petitioner shall not tamper with the prosecution evidence and shall not enter village Salemsah till the completion of trial and shall report at Police Station Sadar Fazilka once in a month on last Sunday between 4 pm to 6 pm.

[**A.B. Chaudhari**]
Judge

August 31, 2016.
kadyan

Whether speaking/reasoned Yes/No

Whether reportable Yes/No