

**214 IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

CRM-M-19447-2017

Date of decision : September 13, 2017

Davinder Singh @ Love and another

....Petitioners

Versus

State of Punjab

....Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: Mr. Gursimran Singh Bhatia, Advocate for
 for the petitioner(s).

Mr. Abhaypal Singh Gill, A.A.G., Punjab.

Jaishree Thakur, J.(Oral),

This petition has been filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioners in case FIR No.51 dated 03.04.2017, under Sections 354 and 34 of the Indian Penal Code and Section 8 of the POCSO Act, 2012 (later on offence under Section 376 IPC was added) registered at Police Station Jandiala, District Amritsar Rural.

It is contended by the counsel for the petitioners that the statement of the prosecutrix has been recorded in which she does not point to any overt act punishable under Sections 376 & 354 of IPC and Section 8 of POCSO Act.

Learned counsel appearing on behalf of the respondent-State vehemently opposes the bail application, however, he does not dispute the fact that the statement of the prosecutrix has been recorded and there are 16 witnesses, who are yet to be examined.

Without going into the merits of the case and keeping in view the fact that the trial is likely to take some time to conclude and the statement of the prosecutrix has already been recorded, the present petition is accepted and the petitioners are ordered to be released on regular bail on their furnishing bail bonds and surety bonds to the satisfaction of trial Court/Duty Magistrate concerned.

(JAISHREE THAKUR)
JUDGE

September 13, 2017
ps-I

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No