

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

**CRM-M-29220-2017
Date of decision: 21.08.2017**

Harpreet Singh @ Preet

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Rajesh Bhateja, Advocate,
for the petitioner.

Mr. Abhaypal Singh Gill, AAG, 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 petitioner in case FIR No. 124 dated 15.07.2016, under Sections 376-D, 323, 506 and 34 of the Indian Penal Code and Sections 5 and 6 of the POCSO Act, registered at Police Station Moga City, District Moga.

It is contended by the counsel for the petitioner that the petitioner has falsely been implicated in this case and he is in custody since 26.07.2016. It is also contended that in fact the prosecutrix in her testimony recorded before learned Additional Sessions Judge on 16.05.2017 (Annexure P-2) has stated that the petitioner has not committed rape upon her.

Mr. Abhaypal Singh Gill, AAG, Punjab, has appeared on behalf of respondent-State and contested the bail application. He files the custody certificate, as per which, the petitioner is in custody for one year and 27 days. He also submits that statements of the prosecutrix has been recorded.

Without going into the merits of the case and keeping in view the fact that the petitioner is in custody since 26.07.2016; the statement of the prosecutrix has been recorded and the trial is likely to take some time to conclude, the present petition is accepted and the petitioner is ordered to be released on regular bail on his furnishing bail bonds and surety bonds to the satisfaction of trial Court/Duty Magistrate concerned.

August 21, 2017
Ansari

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No