

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

Criminal Misc. No.M- 29703 of 2017(O&M)

Date of Decision: December 20 , 2017.

Raj Singh PETITIONER (s)

Versus

State of Punjab RESPONDENT (s)

CORAM:- HON'BLE MRS.JUSTICE LISA GILL

Present: Mr. Sukh Pal Singh, Advocate
for the petitioner.

Mr. Rahul Rathore, DAG, Punjab.

1. Whether reporters of local papers may be allowed to see the judgment?
2. To be referred to the reporters or not?
3. Whether the judgment should be reported in the digest?

LISA GILL, J.

The petitioner prays for bail pending trial in FIR No.56 dated 07.06.2017 under Sections 354/354A IPC and Sections 7/8 of the Protection of Children from Sexual Offences Act, 2012, registered at Police Station Mehna, District Moga.

It is submitted that the petitioner, who is 66 years old and a Numberdar of his village, has been falsely implicated in this case as he had refused to appear as a witness in favour of the complainant's father. The complainant's father has preferred a civil suit against his own brothers in respect to a dispute regarding property. Copy of the civil suit filed by the complainant's

father produced in Court on 07.11.2017 had been taken on record. It is further

submitted that the petitioner is suffering from a heart condition and he was advised to undergo coronary artery by-pass. Moreover, the petitioner is stated to be a respectable person, not involved in any other criminal case. The complainant and the victim in this case have since testified before the learned trial court. It is thus prayed that this petition be allowed.

Learned counsel for the State, on instructions from HC Lakhwinder Singh, Police Station Maina, District Moga, verifies that the petitioner is indeed suffering from a cardiac condition. It is not denied that the complainant and the victim in this case have since testified before the learned trial court. The petitioner is not reported to be involved in any other criminal case.

There are no allegations on behalf of the State that the petitioner is likely to abscond or that he is likely to dissuade the witnesses from deposing true facts before the Court, if released on bail.

Keeping in view the facts and circumstances of the case but without commenting upon or expressing any opinion on the merits thereof, this petition filed by Raj Singh is allowed. The petitioner be released on bail pending trial subject to his furnishing requisite bail bonds and surety to the satisfaction of the learned Trial Court.

It is clarified that none of the observations made hereinabove shall be construed to be a reflection on the merits of the case. The same are solely confined for the purpose of decision of the present petition.

December 20 , 2017.
'om/rts'

(LISA GILL)
JUDGE

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