

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

CRM-M No. 36510 of 2016(O&M)

Date of decision: 17.1.2017

Mewa Singh

....Petitioner

VERSUS

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE REKHA MITTAL

Present: Mr. Lajpat Sharma, Advocate for the petitioner.

Mr. Mikhail Kad, AAG, Punjab.

REKHA MITTAL, J.(Oral)

The petitioner prays for grant of regular bail in FIR No.192 dated 23.08.2014 registered at Police Station Samrala, District Ludhiana for offence punishable under Section 376 of the Indian Penal Code, 1860 (in short 'IPC') and Section 3, 4 of the Protection of Children from Sexual Offences Act, 2012.

Counsel for the petitioner has submitted that the petitioner is in custody since lodging of the First Information Report. On completion of investigation, challan has been presented in the Court and the prosecutrix has already been examined. It is further submitted that as conclusion of the trial is likely to take some time, the petitioner may be released on bail who otherwise is ready to face the proceedings, in accordance with law, without any default.

Counsel for the State has opposed the bail application with the submission that in view of seriousness of the allegations against the

petitioner that he subjected his step-daughter to sexual assault by ravishing her, he is not entitled to benefit of bail.

I have heard counsel for the parties and perused the records.

As per allegations of the prosecution, the prosecutrix was 14 years old and a student of 6th class who was subjected to rape by the petitioner, her step-father.

Taking into account gravity of offence, I do not think it to be a fit case wherein the petitioner deserves to be released on bail merely because he is in custody for quite some time.

Dismissed.

However, the prosecution shall ensure presence of the remaining witnesses before the trial Court on the date fixed. The trial Court shall put its best efforts to conclude the trial expeditiously.

JANUARY 17, 2017
'D. Gulati'

(REKHA MITTAL)
JUDGE

Whether speaking/reasoned	:	yes/no
Whether reportable	:	yes/no