

Criminal Misc. No. M- 37058 of 2017 (O&M)

Date of decision : October 10, 2017

Harwinder Singh @ Laddi

.....Petitioner

Versus

State of Punjab

....Respondent

CORAM:- HON'BLE MRS. JUSTICE LISA GILLPresent: Mr. Parveen Kumar Garg, Advocate
for the petitioner.

Mr. Saurav Khurana, DAG, Punjab.

LISA GILL, J.

The petitioner prays for bail pending trial in FIR No. 139 dated 07.08.2017 under Sections 354/354D and Section 8 of Protection of Children from Sexual Offences Act, 2012 IPC registered at Police Station City Sunam, District Sangrur.

It is submitted that there is a delay of two days in the registration of the FIR, which casts a doubt on the prosecution story. As per the allegations in the FIR, the present petitioner alongwith co-accused used to follow the complainant's daughter on motorcycle and used to harass her. When the complainant's daughter was going for her tuition on foot to Achiever Point, Sunam from Bus Stand Sunam on 05.08.2017, both the accused stopped their motorcycle and the petitioner caught hold of the victim's arm. The victim screamed on which both the accused ran away. The petitioner, it is submitted, is a young boy of 19 years pursuing BBA at Bhai Gurdas Institute of Management & Technology, Sangrur. The petitioner is not involved in any other criminal case. It is, thus, prayed that

this petition be allowed.

I have heard learned counsel for the parties.

Learned counsel for the State, on instructions from ASI Gurcharan Singh, verifies that the final report under Section 173 Cr.P.C., in this case, has been filed. The petitioner is not reported to be involved in any other criminal case.

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

No useful purpose shall be served by keeping the petitioner incarcerated any longer. Keeping in view the facts and circumstances noted above but without expressing any opinion on the merits of case, it is considered just and expedient to allow this petition.

Consequently, 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 reiterated that none of the observations made herein above are a reflection on the merits of the case and shall have no bearing on the trial.

It is, however, clarified that the petitioner shall not try to contact the complainant, victim or any of her family members in any manner - directly or indirectly. Any such infraction by the petitioner may entail cancellation of his bail.

October 10, 2017
rts

(Lisa Gill)
Judge

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