

In the High Court of Punjab and Haryana at Chandigarh

CRM -M-39579 of 2016

Date of Decision: 31.1.2017

Sukhdeep Singh @ Sunny

---Petitioner

versus

State of Punjab

---Respondent

Coram: Hon'ble Mrs. Justice Rekha Mittal

**Present: Mr. Ashok Bhardwaj, Advocate
for the petitioner**

Rekha Mittal, J.

The petitioner prays for grant of regular bail in FIR No. 43 dated 25.5.2016 registered at Police Station, Dharamgarh, District Sangrur for offence punishable under Sections 354 of the Indian Penal Code (in short “IPC”) and 8 of the Protection of Children from Sexual Offences Act, 2012.

Notice of motion.

Mr. Mikhail Kad, AAG, Punjab accepts notice on behalf of the respondent.

Counsel for the petitioner has submitted that the petitioner was arrested in the case on 30.8.2016 and is no longer required as challan has been presented in the Court after completion of investigation. Statements of the material witnesses namely the prosecutrix and her father have already been recorded. The petitioner is ready to face the proceedings without any default.

Counsel for the State has not disputed the factual assertions but opposed the bail application.

I have heard counsel for the parties, perused the paper book.

The prosecutrix has already been examined in the case. She was 11 years old at the time of alleged offence. There is no allegation against the petitioner that he does not have a permanent place of stay or likely to flee from process of justice in case enlarged on bail.

Without commenting upon merits of the case, the petitioner is ordered to be released on bail subject to satisfaction of the trial court. However, he shall abide by the following conditions:-

- i) He shall not offer any threat, promise or inducement to any person acquainted with the facts of the case so as to dissuade him from disclosing the same to the Investigating Officer/Court; and
- ii) He shall not leave the limits of this country without prior permission of the Court.

Petition stands disposed of accordingly.

(Rekha Mittal)
Judge

31.1.2017
PARAMJIT

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No