

IN THE HIGH COURT OF PUNJAB AND HARYANA,
AT CHANDIGARH

CRM-M-44780-2016

Date of Decision: 27.02.2017

Sunny @ Kawalveer

.....Petitioner

vs.

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: Mr. Sandeep Verma, Advocate,
for the petitioner.

Mr. K.S. Pannu, D.A.G., Punjab.

AMOL RATTAN SINGH, J. (ORAL)

This petition has been filed under Section 439 Cr.P.C., for grant of 'regular bail' to the petitioner, in case FIR No. 105 dated 29.08.2016, registered at Police Station Kotwali Nabha, District Patiala, for the alleged commission of offences punishable under Sections 377/506 of the IPC and Section 4 of the Protection of Children from Sexual Offences Act, 2012.

Learned counsel for the petitioner submits that the petitioner, who has been in custody since 29.08.2016, was not apprehended at the spot but was subsequently named by the complainant as one of those who had allegedly been assaulting him for the past 10 years.

He further submits that the petitioner is a married man with a three year old daughter and as such, the possibility of having been roped in cannot be ruled out.

On query, learned State counsel, on instructions from the police official who is present in Court today to assist him, does not dispute the factual position of the petitioner not having been present when the offence was allegedly committed and on further query, he submits that out of 15 prosecution witnesses listed before the learned trial Court for examination, none has been examined so far.

Keeping in view the above, without making any comment on the merits of the allegations made against the petitioner and the fact that the trial is likely to take long as yet, the petition is allowed. The petitioner shall be admitted to bail upon him furnishing adequate bail bonds and surety bonds to the satisfaction of the learned trial Court.

(AMOL RATTAN SINGH)
JUDGE

February 27, 2017
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Whether speaking/reasoned	Yes
Whether Reportable	No.