

CRM-M-6497-2017

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

CRM-M-6497-2017

Date of Decision: 07.03.2017

Sukhram

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

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

Mr. K.S.Aulakh, AAG, Punjab.

INDERJIT SINGH, J.

Petitioner-Sukhram has filed this 3rd petition under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail in case FIR No.134 dated 11.06.2014, registered at Police Station Sarabha Nagar, Ludhiana, under Section 376 IPC and Sections 3 and 4 of the Prevention of Children from Sexual Offences Act, 2012.

Notice of motion was issued. Learned State counsel has appeared and contested the instant petition.

I have heard learned counsel for the petitioner as well as learned State counsel and gone through the record.

From the record, I find that as per the FIR, the present petitioner committed rape upon the prosecutrix, who was aged about 12 years at the time of occurrence.

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Keeping in view the nature and gravity of the offence, I do not find it a fit case where the petitioner is entitled to the benefit of regular bail.

Therefore, finding no merit in the present petition, the same is dismissed.

However, learned State counsel has brought into notice of this Court that except one doctor, all the witnesses have already been examined. As the petitioner has been in custody since 11.06.2014, therefore, the investigating officer of this case, present in the Court, is directed to produce the remaining witness on the date fixed before the trial Court i.e. 15.03.2017. The trial Court is also directed to dispose of the trial expeditiously. If the witness is not produced or examined within a reasonable time i.e. preferably three months, then the petitioner will be at liberty to file petition for bail in accordance with law.

07.03.2017
parveen kumar

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned	:	Yes
Whether reportable	:	No