

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

Criminal Misc. No.M- 1242 of 2018(O&M)

Date of Decision: January 18 , 2018.

Kuldeep Singh

..... PETITIONER (s)

Versus

State of Punjab

..... RESPONDENT (s)

CORAM:- HON'BLE MRS.JUSTICE LISA GILL

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

Ms. Seena Mand, DAG, Punjab.

1. Whether reporters of local papers may be allowed to see the judgment?
2. To be referred to the reporters or not?
3. Whether the judgment should be reported in the digest?

LISA GILL, J.

The petitioner prays for bail pending trial in FIR No.86 dated 04.08.2017 under Sections 376/511 IPC read with Section 8 of the Protection of Children from Sexual Offences Act, 2012, registered at Police Station Lakho Ke Behram, District Ferozepur.

It is submitted that the abovesaid FIR was registered on the basis of certain misunderstandings between the parties. The FIR was lodged after an unexplained delay on 04.08.2017 whereas the alleged incident took place on 28.07.2017. The present FIR was also motivated due to certain political factions

in the village. It is submitted that the final report under Section 173 Cr.P.C. has since been presented. It is thus prayed that the petitioner, who is not involved in any other criminal case, be allowed the concession of bail pending trial.

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

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

Keeping in view the facts and circumstances of the case but without commenting upon or expressing any opinion on the merits thereof, this petition filed by Kuldeep is allowed. 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 made clear that the petitioner shall not directly or indirectly try to contact the complainant, the victim or any of her family members or witnesses in this case. Any such infraction on the part of the petitioner may entail cancellation of his bail.

It is clarified that none of the observations made hereinabove shall be construed to be a reflection on the merits of the case. The same are solely confined for the purpose of decision of the present petition.

January 18 , 2018.
'om'

(**LISA GILL**)
JUDGE

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