

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

**Criminal Misc. No.M- 1576 of 2018(O&M)**

**Date of Decision: March 09 , 2018.**

Gurpreet Singh

..... PETITIONER (s)

**Versus**

State of Punjab

..... RESPONDENT (s)

**CORAM:- HON'BLE MRS.JUSTICE LISA GILL**

Present: Mr. Gurpreet Singh Sandhu, Advocate  
for the petitioner.

Mr. Anmol Singh Sandhu, AAG, Punjab.

Mr. Amandeep Singh Chhabra, Advocate  
for the complainant.

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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?

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**LISA GILL, J.**

The petitioner prays for bail pending trial in FIR No.204 dated 26.11.2017 under Sections 354/323/120B IPC and Sections 3/4 of the Protection of Children from Sexual Offences Act, 2012, registered at Police Station Nahianwala, Bathinda.

It is submitted that the petitioner has been falsely implicated in this case. He was not even present at the time of the alleged incident neither has he been named in the FIR. The co-accused Angrej Singh, the real brother of the

petitioner, has been named in the FIR. Rajesh Kumar, the complainant, stated to be present at the spot, has given in writing alongwith other persons that the present petitioner – Gurpreet Singh was not present at the time of the alleged incident. Moreover, there is no medical evidence on record to substantiate the allegations. It is submitted that final report under Section 173 Cr.P.C. has since been presented. The petitioner, it is submitted, is not involved in any other criminal case and has been in custody since 13.12.2017. The petitioner undertakes not to misuse the concession of bail, if afforded to him. It is thus prayed that this petition be allowed.

Learned counsel for the State is unable to deny that the petitioner is not named in the FIR. It is confirmed, on instructions from ASI Kuldeep Singh, that the final report in this case has been presented and the petitioner is not involved in any other criminal case. Trial in this case is not likely to conclude in the near future.

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. No useful purpose shall be served by keeping the petitioner incarcerated any longer.

Keeping in view the facts and circumstances of the case but without commenting upon or expressing any opinion on the merits thereof, this petition 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-prosecutrix/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.

March 09 , 2018.  
'om'

**( LISA GILL )**  
**JUDGE**

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