

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

**Crl. Misc. No.M-17758 of 2018
Date of decision : 03.05.2018**

Avtar Singh

.....Petitioner(s)

Versus

State of Punjab

...Respondent(s)

CORAM: HON'BLE MRS. JUSTICE ANITA CHAUDHRY

Present: Mr. Krishan Sehajpal, Advocate
for the petitioner.

Mr. K.S. Aulakh, DAG, Punjab.

ANITA CHAUDHRY, J(ORAL)

The petitioner is seeking regular bail in FIR No. 21 dated 22.02.2018, registered under Section 354-A IPC and Sections 7 & 8 of the POCSO Act, Police Station Sadar Kapurthala.

Counsel for the petitioner contends that the petitioner is 65 years old and has a disability of 50% and refers to Annexure P-1. It was urged that the investigation is over and challan has been presented and the case had been lodged since his neighbour had a quarrel with him.

The State counsel states that the victim had also made a statement that her clothes were also removed.

In the FIR, the allegations were that the accused had taken the girl to his house and had started kissing her. It will have to be seen whether the statement given by the victim, who is 7 years old, was tutored since a different version has appeared.

As the investigation is over and as the trial would take time, without commenting upon the merits of the case, the petition is allowed and the petitioner is directed to be released on regular bail on execution of adequate personal and surety bonds to the satisfaction of trial Court/Duty Magistrate with a condition that the petitioner would not contact the victim or her family in any manner.

03.05.2018
sunil

(ANITA CHAUDHRY)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No