

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

Criminal Misc. No. M- 18094 of 2017(O&M)

Date of Decision: March 06 , 2018.

Baldev Singh Granthi

..... PETITIONER(s)

Versus

State of Punjab

..... RESPONDENT (s)

CORAM:- HON'BLE MRS.JUSTICE LISA GILL

Present: Mr. Gursimran Singh Madaan, Advocate
for the petitioner.

Mr. Anmol Singh Sandhu, AAG, Punjab.

LISA GILL, J.

The petitioner prays for bail pending trial in FIR No.0193 dated 11.12.2016 under Sections 354A/295 IPC and Section 7 of the Protection of Children from Sexual Offences Act, 2012, registered at Police Station Doraha, District Ludhiana.

It is submitted that the petitioner is a Granthi in a Gurudwara and has been falsely implicated in this case due to factionalism amongst the committee members of the Gurudwara. It is argued that the petitioner is living with his wife and two children i.e. a son and daughter, within the premises of the Gurudwara. It is highly improbable that the petitioner would have indulged in the actions as alleged qua the two little children, aged 12 years. Moreover the complainant, it is submitted, has realized that the FIR in question was registered due to certain misunderstandings. CRM No.M-47246 of 2017 has been filed for quashing of the

abovesaid FIR on the basis of a compromise between the parties. The petitioner, it is submitted, is not involved in any other criminal. It is thus prayed that this petition be allowed.

Learned counsel for the State, on instructions from HC Kulwinder Singh, verifies that the final report under Section 173 Cr.P.C. has been presented. Charge against the petitioner has been framed. The petitioner is not reported to be involved in any other criminal case. He is in custody since 12.12.2016. No recovery is to be effected from him. Trial in this case is not likely to conclude in the near future. No useful purpose would be served by keeping the petitioner incarcerated any longer in the present facts and circumstances of this 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 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 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 06 , 2018.
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(LISA GILL)
JUDGE

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