

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

CRM-M-20512-2018

Date of Decision: 04.09.2018

Gagandeep Singh

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MRS. JUSTICE ANITA CHAUDHRY

Present: Mr. Deepak Bhardhwaj, Advocate
for the petitioner(s).

Mr. Jagmohan Ghuman, D.A.G., Punjab.

ANITA CHAUDHRY, J

Petitioner is seeking regular bail in FIR No.213 dated 08.10.2016, registered under Sections 363/366/376/376-D/205/328/342/323/506/120-B/511/109 IPC and Sections 3/4/6/17/18 of POCSO Act (Sections 376-D/205/342/511/109 IPC and Sections 3/4/6/17/18 of POCSO Act added later on) at PS Civil Lines, Patiala, District Patiala.

Learned counsel for the petitioner contends that the petitioner is in custody since 13.10.2016 and the cross-examination of the victim has still not been completed and the case has been adjourned again and the pen drive produced by the prosecution did not work and the case had earlier been adjourned on account of that. Counsel states that earlier the victim was not appearing and the case is being adjourned since May, 2018. Copy of the statement of the victim has been placed on record.

The petitioner is in custody since 13.10.2016 and the FIR was lodged after 5 days. The statement of the victim had been started in February, 2018 which till date could not be completed. The prosecution have produced a CD which was converted into a pen drive which did not work and therefore the part statement was recorded. The statement could still not be completed on account of the fact that the pen drive did not work and the trial Court has again adjourned the matter. The petitioner is in custody for almost 22 months.

The trial is taking time. Without commenting anything on the merits of the case, the petition is allowed. The petitioner is ordered to be released on bail on his furnishing surety and adequate bail bonds to the satisfaction of the trial Court/Duty Magistrate with a condition that the petitioner would not tamper with evidence or contact the victim or any of her family member.

September 04, 2018*ps-I***(ANITA CHAUDHRY)
JUDGE**

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No