

**In the High Court of Punjab and Haryana at Chandigarh**

**Crl. Misc. No. M-23423 of 2018  
Date of Decision: 01.6.2018**

**Malkeet Singh**

**.....Petitioner**

**Versus**

**State of Punjab**

**.....Respondent**

**CORAM: HON'BLE MRS. JUSTICE ANITA CHAUDHRY**

**Present: Mr. B.S.Sidhu, Advocate  
for the petitioner.**

**Mr. Pawan Sharda, Sr. DAG, Punjab.**

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**ANITA CHAUDHRY, J**

The petitioner is seeking regular bail in FIR No. 139 dated 18.11.2017 registered at Police Station Kotbhai, District Sri Muktsar Sahib under Sections 363, 366-A, 120-B IPC and Section 3/4 of POCSO Act, 2012 (Section 376 IPC added later on).

Counsel for the petitioner contends that the petitioner is in custody since 26.11.2017. He further states that the girl and Sucha Singh had filed a petition for protection but when the counsel found that the girl was under 18 years of age, the petition was withdrawn. Counsel further submits that the petitioner is not named in the FIR nor he was named in the statement made by the girl under Section 164 Cr.P.C. He refers to Annexure P-2.

The petitioner is not named in the FIR nor he was named by the victim. A petition had been filed in the High Court seeking protection but it was withdrawn.

Without commenting anything on the merits of the case and

considering the fact that the trial will take time to conclude, the petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate.

(ANITA CHAUDHRY)  
JUDGE

June 01, 2018  
Gurpreet

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