

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

**CRM-M-26871-2018
Date of decision: 01.08.2018**

Harpreet Singh @ Kaddu

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: Mr. Sumeet Puri, Advocate,
for the petitioner.

Ms. Seena Mand, DAG, Punjab.

JAISHREE THAKUR, J. (ORAL)

This is a petition that has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No. 63 dated 28.07.2017 under Sections 376(2)(i) / 376 (n)/ 120-B / 363/ 366 / 376/ 376(d) of IPC and Sections 4 & 6 of the Protection of Children from Sexual Offences Act, 2012, registered at Police Station Cheema District Sangrur.

Learned counsel for the petitioner contends that four co-accused have been granted bail, whereas the petitioner herein has been in custody since 28.07.2017 and submits that there is no other case against him.

Learned counsel appearing on behalf of the respondent-State, on instructions from ASI Maghan Singh, submits that this is not a fit case where the petitioner should be granted regular bail. In fact, the prosecution evidence is over and the trial is now listed for 03.08.2018 for recording of statement of the accused under Section 313 Cr.P.C. It is also stated that this is a case where the witness is a minor and she has levelled specific allegations against the petitioner herein, who too stood identified him.

I have heard learned counsel for the parties and have also perused the orders passed by the Co-ordinate Bench of this Court allowing regular bail to the co-accused. A reading of the said orders would reflect that the Court had taken note of the fact that the victim had not identified the co-accused. The petitioner herein stood identified as accused of an offence under Section 376 IPC. Moreover, the evidence of the prosecution is complete and only the statement of the accused under Section 313 Cr.P.C. and his defence evidence is to be recorded.

In view of the peculiar facts and circumstances of this case, this Court is not inclined to grant the concession of regular bail, the petition is dismissed while giving a direction to the trial Court to conclude the trial expeditiously.

Petition stands disposed of accordingly.

01.08.2018

Satyawan

Whether speaking/reasoned

Whether reportable

(JAISHREE THAKUR)
JUDGE

Yes.

No.