

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

CRM -M-29181 of 2018 (O&M)

Date of decision: 24.08.2018

Sarwan Singh @ Pappi

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. Ashok Saini, Advocate
for the petitioner.

Ms. Harsimrat Rai, DAG, Punjab.

Jitendra Chauhan, J. (Oral)

By filing the present petition filed under Section 439 of the Code of Criminal Procedure, the petitioner seeks regular bail in FIR No. 07 dated 25.01.2017, registered under Sections 354, 354-A of IPC and Section 7 of Protection of Children from Sexual Offences Act, 2012, at Police Station Khalra, District Tarn Taran.

It is contended that all the material witnesses including the complainant, the father of the victim, his wife and the victim herself have been examined. There are material contradictions with regard to the occurrence in the statements of the complainant and other witnesses. The petitioner is in custody since 26.01.2017.

On the other hand, the learned State counsel opposes the bail petition, however, on instructions she acknowledges the factual aspect of

the matter. She states that no benefit can be allowed to the petitioner at this stage even if there are contradictions in the statements of the prosecution witnesses.

Heard.

Considering the fact that the petitioner is in custody since 26.01.2017; out of 11 witnesses, 08 PWs have been examined so far; the conclusion of trial will take a long time, without adverting to the merits of the instant case, this petition is allowed. The petitioner be admitted to bail during the pendency of trial, on his furnishing bail bonds and surety bonds to the satisfaction of CJM/Duty Magistrate/trial Court.

Anything said herein above shall not be construed as an expression of opinion on the merits of the case.

24.08.2018

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(JITENDRA CHAUHAN)
JUDGE

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No