211 IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-31552-2018 (O&M)
Date of decision:03.12.2018

Suresh Pal

.....Petitioner

versus

State of Punjab

....Respondent

CORAM: Hon'ble Mr. Justice Kuldip Singh

Present: Mr. J.S. Jaidka, Advocate
for the petitioner.

Mr. Karanbir Singh, AAG, Punjab.

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Kuldip Singh, J. (Oral)

The petitioner has filed this petition under Section 439 Cr.P.C. for grant of regular bail in FIR No.12 dated 25.01.2018 under Sections 7/8 of POCSO Act, 2012, registered at Police Station P.A.U. Ludhiana, District Ludhiana.

Heard.

Allegations against the petitioner are that he pressed the private part of a four years old boy and asked the said child to kiss his private part. In this case, the petitioner was arrested on 27.01.2018 and is in custody since then i.e. little more than ten months. As per medical examination, no injury was found on the private part of the victim. In this case, challan has been presented and report of the trial Court has been received. It has come out that the victim has been examined as PW-1 on

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08.10.2018. The mother and father of the victim were also examined as PW-2 and PW-3 respectively. The case was adjourned for 12.10.2018 for recording the statement. It is expected that the same might have been recorded on the next date. In this case, material witnesses and the victim have been examined. The disposal of the trial will take its own time.

It being so, there is no ground for further detention of the petitioner and accordingly, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing personal bonds in the sum of Rs.50,000/- with one surety of the like amount to the satisfaction of the trial Court, subject to the following conditions:-

(1) Petitioner shall surrender his passport before the trial Court, if any, and shall not leave the country without prior intimation to the Court;

(2) Petitioner shall not directly or indirectly give any inducement or threat or promise to any witness and

(3) Petitioner shall attend the Court on each and every date of hearing before the trial Court and in case of his absence, trial Court shall be competent to cancel his bail.

Accordingly, the petition stands allowed.

(KULDIP SINGH)
JUDGE

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Whether speaking/ reasoned: Yes
Whether Reportable: No

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