

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-38361 of 2018
Date of Decision: 07.09.2018

Gurdeep Singh

....Petitioner

VERSUS

State of Punjab

....Respondent

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Ranbir Singh Sekhon, Advocate
for the petitioner.

Mr. Pawan Sharda, Sr. DAG, Punjab.

SURINDER GUPTA, J.(Oral)

The present petition has been filed under Section 439 Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No.14 dated 22.01.2018 registered for offences punishable under Sections 377/511 of Indian Penal Code (for short, "IPC"), 8/18 of the Protection of Children from Sexual Offences Act, 2012, at Police Station Bassi Pathana, District Fatehgarh Sahib.

Heard.

Learned counsel for petitioner submits statement of victim, namely, Karamvir Singh has been recorded, who has not supported the case of prosecution and denied that any wrong act was done with him by the petitioner.

Learned State counsel submits that ten more witnesses are yet to be examined.

The petitioner in this case was arrested on 22.01.2018 and is in custody since then. Statement of victim has been recorded, who has not

supported the case of prosecution.

In view of above but without expressing any opinion on merits of the case and keeping in view the fact that conclusion of trial will take considerably long time, the present petition is allowed. Petitioner-Gurdeep Singh is ordered to be released on regular bail on furnishing bail bond and surety bond to the satisfaction of concerned trial Court/Chief Judicial Magistrate/Duty Magistrate, subject to following terms:-

- (a) The petitioner shall comply with the conditions mentioned in Section 437(3) Cr.P.C.
- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn. The trial Court shall be competent to cancel his bail bond and surety bond and proceed to procure his presence in accordance with law. In that eventuality the petitioner shall have to apply for bail afresh.
- (c) He shall not leave the country without the previous permission of the Court.

September 07, 2018
jk

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No