

In the High Court of Punjab and Haryana at Chandigarh

Crl. Misc. No. M-41161 of 2018

Date of Decision: 9.10.2018

Parminder Singh @ Prince

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE ANITA CHAUDHRY

Present: Mr. Rajesh Bansal, Advocate
for the petitioner.

Mr. Jagmohan Ghumman, DAG, Punjab.

Ms. Kamaldeep Kaur, Advocate
for the complainant.

ANITA CHAUDHRY, J

The petitioner is seeking regular bail in FIR No. 120 dated 17.5.2018 registered at Police Station Dehlon, District Ludhiana under Sections 354-A, 342, 506 IPC and Section 12 of POCSO Act.

Counsel for the petitioner contends that petitioner is in custody since 17.5.2018 and the allegations levelled against the petitioner are that he called the victim to his house and took her to his room and touched her body and threatened her. The counsel further submits that as per the prosecution, the family of the petitioner was present in the house and though the incident is of May 2018 but statement of the prosecutrix under Section 164 Cr.P.C. was recorded only on 4.7.2018 and the victim has refused her medical and the prosecutrix and her family are avoiding the witness box. The counsel has placed on record the zimni order

dated 3.10.2018.

The case had been adjourned on the last date as the statement of the victim had not been recorded. The zimni order dated 3.10.2018 has been placed on record to show that the complainant and the victim had been served for that day. Kewal Singh was present in the Court but he sought exemption for getting his statement recorded on that day. Exemption was also sought for the victim.

The victim had not got her medical done. Charge framed against the petitioner is under Section 12 of the POCSO Act. The trial would take time.

Without commenting anything on the merits of the case, 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

October 09, 2018

Gurpreet

Whether speaking/reasoned	:	Yes
Whether reportable	:	No