

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

Crl. Misc. No.M-53120 of 2018

Date of Decision:- 06.12.2018

Bhag Singh

....Petitioner

vs.

State of Punjab

....Respondent

BEFORE :- HON'BLE MR. JUSTICE SUDHIR MITTAL

Present:- Mr. Tarun Vir Singh Lehal, Advocate,
for the petitioner.

Mr.Luvinder Singh Sofat, AAG, Punjab.

Sudhir Mittal, J. (Oral)

The petitioner seeks regular bail in case FIR No.104 dated 31.08.2018 registered at Police Station Sri Hargobindpur, District Batala under Sections 377, 506 IPC and Section 3 and 4 of the Protection of Children from Sexual Offences (POCSO) Act, 2012.

Learned counsel for the petitioner submits that as per the medical examination of the child, there is no evidence of any unnatural act having been committed against him. In fact, the mother of the child has filed an affidavit after registration of the FIR that later on the child has disclosed that he has made a wrong allegation against the petitioner. The medical examination of the petitioner also shows that he is unable to perform sexual intercourse. The petitioner has been in custody since 31.08.2018. The investigation is complete but the trial is likely to take some time to be concluded as examination of PWs has not yet commenced.

State counsel.

Thus, keeping in view the facts and circumstances of this case, it would be appropriate to release the petitioner on regular bail.

In view of the above, this petition is allowed and petitioner-Bhag Singh is ordered to be released on regular bail on his furnishing bail and surety bonds to the satisfaction of learned trial Court concerned.

December 06, 2018
poonam

(SUDHIR MITTAL)
JUDGE

Whether Speaking/Reasoned

Yes

Whether Reportable

No