

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

Criminal Misc. No.M-7711 of 2018(O&M)
Date of Decision: April 20, 2018.

Karaj Singh

Petitioner.

Versus

State of Punjab

Respondent

CORAM:- HON'BLE MRS.JUSTICE LISA GILL

Present: Mr. S.S.Grewal, Advocate
for the petitioner.

Mr. Anmol Singh Sandhu, AAG., Punjab.

LISA GILL, J.

Petitioner seeks the concession of bail pending trial in FIR No. 12 dated 15.01.2018, under Sections 354, 323 IPC and Section 8 of the Protection of Children from Sexual Offences Act, 2012, registered at Police Station Talwandi Sabo, District Bathinda.

It is submitted that the petitioner has been falsely implicated in this case. The petitioner as well as the complainant/complainant's mother are neighbours. The un-explained delay of three days in lodging of the FIR impinges upon the veracity of the same. Furthermore, the final report under Section 173 Cr.P.C., has since been presented against the petitioner, who is not involved in any other criminal case. It is thus prayed that this petition be allowed.

Learned counsel for the State, on instructions from HC Randhir Singh, verifies that the petitioner is not involved in any other criminal case. Final report under Section 173 Cr.P.C., has since been presented against the petitioner.

There are no allegations on behalf of the State that the petitioner is likely to abscond or that he is likely to dissuade the witnesses from deposing true

facts before the Court, if released on bail. Trial in this case is not likely to conclude in the near future. No useful purpose would be served by keeping the petitioner incarcerated any longer in the facts and circumstances of this case.

Keeping in view the facts and circumstances of the case but without commenting upon or expressing any opinion on the merits thereof, this petition filed by Karaj Singh, is allowed. The petitioner be released on bail pending trial subject to his furnishing requisite bail bonds and surety to the satisfaction of the learned Trial Court.

Petitioner shall not attempt to contact the victim or any of her family members/witnesses in any manner directly or indirectly. Any such infraction shall entail cancellation of bail afforded to him.

It is clarified that none of the observations made hereinabove shall be construed to be a reflection on the merits of the case. The same are solely confined for the purpose of decision of the present petition.

20.04.2018
s.khan

[LISA GILL]
Judge

Whether speaking/reasoned : Yes/No.
Whether reportable : Yes/No.