

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

217

CRM-M-6343-2019

Date of Decision:11.03.2019

Rupinder Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR.JUSTICE HARI PAL VERMA.

Present: Mr. B.K. Mehta, Advocate,
for the petitioner.

Mr. Jagmohan Ghumman, D.A.G., Punjab.

HARI PAL VERMA, J.(Oral)

Prayer in this petition filed under Section 439 Cr.P.C. is for grant of regular bail to the petitioner in FIR No.43 dated 28.02.2018 under Sections 363, 366-A, 376 IPC and Sections 3 & 4 of the POCSO Act, 2012, registered at Police Station SBS Nagar, Ludhiana.

Learned counsel for the petitioner has argued that the victim-Arshi has been examined in the case and she has not supported the case of the prosecution and has been declared hostile. Similarly, the other witness i.e. grandfather of the victim namely Bhagwan Singh who is complainant in the case has been examined and has also not supported the case of the prosecution and declared hostile. Gagandeep Singh and Ramandeep Singh, the other prosecution witnesses have also been declared hostile. Petitioner is in custody since 01.03.2018. Out of total 18 witnesses as cited by the prosecution, 08 witnesses have been examined so far. Thus, neither the

case of the prosecution.

Learned State Counsel on instructions from ASI Sohan Lal does not dispute the custody period and the fact that the witnesses so referred above have been declared hostile.

In view of the fact that the prosecutrix as well as other witnesses have not supported the case of the prosecution further and have been declared hostile, the culpability is yet to be established during trial.

Accordingly, the present petition is allowed and the petitioner is admitted on regular bail, subject to furnishing of his bail bonds/surety bonds to the satisfaction of trial Court.

It is made clear that the petitioner shall not extend any threat and shall not try to influence any prosecution witnesses directly or indirectly in any manner.

March 11, 2019
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(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No