

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

CRM-M-8811 of 2019 (O&M)

Decided on:- March 20, 2019.

Bunty.

.....Petitioner.

Versus

The State of Punjab.

.....Respondent.

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

Present:- Mr. Charanpreet Singh, Advocate for the petitioner.

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

Mr. J.S. Thakur, Advocate for the complainant.

HARI PAL VERMA, J. (Oral)

Petitioner Bunty has filed present petition under Section 439 Cr.P.C. for grant of regular bail in FIR No.284 dated 04.10.2018 under Sections 376 and 506 IPC and Sections 4, 6 and 8 of the Protection of Children from Sexual Offences Act, 2012 registered at Police Station Phillaur, District Jalandhar.

Learned counsel for the petitioner has argued that the allegations levelled against the petitioner are similar to that of co-accused Hardeep Kumar @ Golu, whose petition for regular bail has already been allowed by this Court vide order of even date passed in **CRM-M-5422 of 2019** titled as **Hardeep Kumar @ Golu Versus State of Punjab**. The only difference in the case of the petitioner is that the discharge application of co-accused Hardeep Kumar @ Golu was moved by the prosecution after conducting investigation by the Superintendent of Police, but in the case of the petitioner, no such

investigation has been carried out. The petitioner is in custody in this case since 01.11.2018.

Learned State counsel, on instructions from ASI Ravinder Singh, does not dispute the aforesaid fact.

Having heard learned counsel for the parties and considering the fact that the case of the petitioner is similar to that of co-accused Hardeep Kumar @ Golu, whose petition for regular bail has already been allowed by this Court vide order of even date passed in *CRM-M-5422 of 2019* titled as *Hardeep Kumar @ Golu Versus State of Punjab*, this Court finds that the petitioner deserves to be admitted on bail.

Therefore, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing adequate bail and surety bonds to the satisfaction of learned trial Court.

However, it is made clear that in case the petitioner influences the prosecution witnesses in any manner directly or indirectly, the prosecution shall be at liberty to seek cancellation of his bail.

The observations made hereinabove shall not be construed as an expression of opinion on the merits of the case and the trial Court shall decide the case without being influenced with these observations in any manner.

March 20, 2019
Yag Dutt

(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned: Yes

Whether Reportable: No