

206.

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM-M-31417-2018

Date of decision:07.01.2019

PAPPU

...Petitioner.

Versus

STATE OF PUNJAB

...Respondent.

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present:- Mr. Parminder Singh Sekhon, Advocate
for the petitioner.

Mr. Jagmohan Ghumman, DAG, Punjab.

HARI PAL VERMA, J. (Oral)

Prayer in the present petition filed under Section 439 Cr.P.C. is for grant of regular bail to the petitioner, pending trial, in case FIR No.179 dated 25.06.2018 registered under Sections 376, 384, 389, 342, 120-B, 354-C IPC, Section 4 of Protection of Children from Sexual Offences, Act, 2012 and Section 67 of Information Technology Act, 2000, at Police Station City Sangrur, District Sangrur.

Learned counsel for the petitioner states that apart from the fact that the petitioner is in custody since 25.06.2018, he is completely handicapped and is not able to move. There is no other case against the petitioner. He has argued that the prosecutrix has not supported the case of the prosecution.

Learned State counsel, on instructions from ASI Gurdev Singh, states that as against 25 witnesses cited by the prosecution, 8 witnesses have

been examined and five witnesses have been given up. He does not dispute that even the victim-Anjali alias Anu has not supported the case of the prosecution.

I have heard learned counsel for the parties.

Considering the fact that the petitioner is a handicapped person and is in custody since 25.06.2018, coupled with the fact that the victim has not supported the case of the prosecution, culpability is yet to be decided during trial and no other case has been pointed out against the petitioner, he is admitted on regular bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the trial Court.

Accordingly, present petition is allowed

(HARI PAL VERMA)
JUDGE

07.01.2019

sanjeev

Whether speaking/reasoned Yes/No.

Whether Reportable: Yes/No.