

CRM-M-18637-2019

Date of Decision:07.05.2019

AVTAR SINGH @ TARI

...Petitioner

Versus

STATE OF PUNJAB AND OTHERS

...Respondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr. Piyush Sharma, Advocate
for the petitioner.

Mr. Jagmohan Ghumman, DAG, Punjab
for respondent No.1.

Mr. Jaspreet Singh Brar, Advocate
for respondent No.2.

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 in case FIR No.272 dated 17.12.2016 registered under Sections 363/366-A/354/342/34 of IPC and Section 4 of POCSO Act at Police Station City Ferozepur, District Ferozepur.

Counsel for the petitioner states that no offence under section 4 of the POCSO Act has been made out. Moreover the matter has been compromised between the petitioner and the complainant, who is mother of respondent No.3. The petitioner is in custody since 16.02.2019.

Learned State Counsel on instructions from ASI-Major Singh states that though ingredients of Section 3 of POCSO Act may not be

invoked but the provisions of Section 7 of the POCSO are otherwise attracted in the case. However he does not dispute the custody of the petitioner.

I have heard learned counsel for the parties.

Considering the fact that the petitioner is in custody since 16.02.2019, the matter has been compromised between the parties and the trial will take sufficient long time, this Court deems it appropriate to admit the petitioner on bail.

Accordingly, the present petition is allowed and the petitioner is admitted on regular bail subject to his furnishing 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 influence any prosecution witnesses in any manner directly or indirectly.

The observations made hereinabove shall not be construed as an expression on the merits of the case and the trial court shall decide the case on the basis of available material.

(HARI PAL VERMA)
JUDGE

May 07, 2019

Jyoti-11 Whether speaking/reasoned Yes/No Whether Reportable Yes/No