

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

**CRM M-19794-2019 (O&M)
Date of Decision : 07.05.2019**

Baj Singh

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present : Mr. G.S.Sandhu, Advocate
for the petitioner.

Mr. Harpreet Singh Multani, AAG, Punjab.

Mr. Ramandeep Singh, Advocate
for the complainant.

RAJ SHEKHAR ATTRI, J. (Oral)

The present petition has been filed under Section 439 Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No.0026 dated 18.07.2018, registered under Section 354 IPC and Section 8 of the Protection of children from Sexual Offences Act, at Police Station Khui Khera, District Fazilka.

Learned counsel for the petitioner has submitted that the petitioner is more than 82 years of age and he is ready to give undertaking that he will not enter the village of the prosecutrix during the pendency of the case. The allegations have been levelled by none but his own grand daughter, aged about 12 years with regard to outrage her modesty.

The petitioner is in custody since 20.02.2019. The trial of the case will take long time. No useful purpose will be served by keeping the

petitioner in custody.

Without expressing any opinion on merits of the case and keeping in view especially the fact that the age of the petitioner is 82 years and the fact that conclusion of trial will take considerably long time, the present petition is allowed. Petitioner Baj Singh is ordered to be released on regular bail on furnishing bail bond and surety bond to the satisfaction of concerned trial Court/Chief Judicial Magistrate/Duty Magistrate, subject to following terms:-

- (a) The petitioner shall comply with the conditions mentioned in Section 437(3) Cr.P.C.
- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn. The trial Court shall be competent to cancel his bail bond and surety bond and proceed to procure his presence in accordance with law. In that eventuality the petitioner shall have to apply for bail afresh.
- (c) He shall not leave the country without the prior permission of the Court.
- (d) He will not visit village Koyal Khera, the village of the prosecutrix.

07.05.2019
mamta

(RAJ SHEKHAR ATTRI)
JUDGE

Whether speaking/reasoned
Whether Reportable :

Yes/No
Yes/No