

**109+213 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M-53957-2018 (O&M)
Date of Decision : 13.09.2019

Sukhdev Singh @ Sunny

.....Petitioner

versus

State of Punjab

....Respondent

CORAM : HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present: Mr. M.S. Bajwa, Advocate
for the petitioner.

Mr. Harbir Sandhu, Asstt.A.G., Punjab
for the respondent-State.

FATEH DEEP SINGH, J. (ORAL)

CRM-20470-2019

Notice of the application to the respondent-State.

On asking of the Court, Mr. Harbir Sandhu, Asstt.A.G.,
Punjab accepts notice on behalf of the official respondent-State and
has made statement that he does not want to file reply to the present
application and has no objection if the same is allowed.

CRM stands disposed off.

Necessary endorsement be given on the records.

CRM-M-53957-2018

This order shall dispose off first regular bail application under Section 439 Cr.P.C in a case bearing FIR No.116 dated 27.07.2018 filed under Sections 354, 354-A, 506 & 34 of the Indian Penal Code and Sections 09 & 10 of the POCSO Act, 2012 registered at Police Station Islamabad, District Police Commissionerate, Amritsar.

The allegations against the accused/petitioner-Sukhdev Singh @ Sunny are as follows:-

The present case was got registered by an unmarried girl aged around 15-16 years, working as part time helper in a medical clinic alleging that on 10.07.2018, in the evening, the accused/petitioner along with one Arun Kumar @ Khanna, on the pretext of dropping her, took her to a remote desolate place on a motorbike and molested her and did obscene acts leading to the registration of the present case and arrest of the petitioner on 02.08.2018.

Learned counsel for the petitioner *inter alia* contends that the petitioner is behind the bars for almost 01 year and 01 month and that the *prima facie* allegations *de hors* the commission of any offence and prays for grant of bail.

On behalf of the State, the learned State counsel, assisted by ASI Bhupinder Singh, has sought to oppose the grant of bail on the ground of seriousness of the allegations and, therefore, if

allowed bail, he would influence the trial.

The petitioner, as is acceded too, by counsel for the prosecution as well as by learned counsel for the petitioner, is behind the bars for more than one year and the trial is not likely to be concluded in the near future, it would serve no useful purpose to further detain the petitioner in custody. Accordingly, he is ordered to be released on regular bail to the satisfaction of the Chief Judicial Magistrate/Duty Magistrate/Ilqa Magistrate of the Court concerned.

The petition stands disposed off accordingly.

13.09.2019

Neha

(FATEH DEEP SINGH)
JUDGE

Whether speaking/reasoned

:

Yes/No

Whether Reportable

:

Yes/No