

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

CRM-M-28830-2019

Date of decision:19.9.2019

GURDHIAN SINGH

.....Petitioner

Versus

STATE OF PUNJAB

.....Respondent

CORAM : HON'BLE MR.JUSTICE GURVINDER SINGH GILL

Present: Mr. H.P.S. Ghuman, Advocate
for the petitioner.

Ms. Rashmi Attri, AAG, Punjab
assisted by ASI Gursharna Singh.

GURVINDER SINGH GILL, J. (ORAL)

1. The petitioner seeks grant of regular bail in case registered vide FIR No.58 dated 1.6.2019 under Section 354-A of Indian Penal Code & Section 4 of POCSO Act, registered at Police Station Bhadson, District Patiala.
2. The FIR was lodged at the instance of Hardeep Singh @ Laddu father of the victim, wherein it has been alleged that on 30.5.2019 when he returned back home from Nangal his daughter i.e. victim disclosed to him on the next morning while crying that on 30.5.2019 when she had gone to the shop of Gurdhian Singh for getting cold-drink, said Gurdhian Singh

molested her and moved his hand over her body.

3. Learned counsel for the petitioner has submitted that initially FIR was registered in respect of offence punishable under Section 354-A IPC and Section 4 of POCSO Act and now investigation is concluded and the challan has been presented for offences under Section 354-A and Section 12 of POCSO Act.
4. Opposing the petition, learned State counsel has submitted that since specific allegations have been raised in the FIR against the petitioner, no case for grant of bail is made out. It has however been affirmed that challan has already been presented.
5. I have considered rival submissions addressed before this Court. In view of the fact that the petitioner has been behind bars since more than 3 months and challan has already been presented, in my opinion, further detention of the petitioner will not serve any useful purpose. The petition, as such, is accepted and it is ordered that petitioner be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate, concerned.

19.9.2019
Gaurav Sorot

(GURVINDER SINGH GILL)
JUDGE

Whether reasoned / speaking? Yes / No

Whether reportable? Yes / No