

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

CRM-M No.34807 of 2019

Date of decision: 30th August, 2019

Mangal Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present: Mr. Sandeep Jasuja, Advocate for the petitioner.

Mr. Harbir Sandhu, Assistant Advocate General, Punjab
for the respondent/State.

FATEH DEEP SINGH, J. (ORAL)

Allegations against the accused petitioner Mangal Singh in this first regular bail application under Section 439 Cr.P.C. in case bearing FIR No.102 dated 04.06.2019 under Sections 354B, 354D, 506 IPC and Section 10 of the Protection of Children from Sexual Offences Act, 2012 pertaining to Police Station City-I, Abohar before this Court, have been levelled by the grandmother of a girl aged around 16 years, alleging that the victim whenever used to go to her school, the accused would accost her on the way and forcibly try to talk to her. It is alleged that on 04.06.2019, around 7:00 a.m. the accused has teased the minor girl and molested her leading to registration of the present case and arrest of the petitioner on 04.06.2019.

Learned counsel for the petitioner Mr. Sandeep Jasuja, Advocate inter alia contends that the petitioner is behind bars for the last

almost three months and that the trial is not likely to conclude in near future and has sought to term the allegations to be on account of personal revenge and vendetta.

On behalf of the State, Mr. Harbir Sandhu, Assistant Advocate General, Punjab on instructions from ASI Atma Ram, Police Station City Abohar, though accedes to the facts as canvassed by learned counsel for the petitioner but has stoutly opposed the relief on the grounds that the act attributed to the petitioner is of heinousness nature.

Going through the submissions of the two sides, the petitioner is behind bars since a long time. Culpability, if any, shall be determined at the trial which is not likely to conclude in the near future. Thus, this Court is of the opinion that no useful purpose will be served by keeping the petitioner in custody in the present case. Accordingly, he is ordered to be released on regular bail to the satisfaction of Chief Judicial Magistrate/Duty Magistrate, Fazilka. However, it is made clear that anything observed herein shall not be construed as an expression on the merits of the case.

The petition stands disposed off accordingly.

(FATEH DEEP SINGH)
JUDGE

August 30, 2019

rps

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No