

**In the High Court for the States of Punjab and Haryana  
At Chandigarh**

CRM-M-50268-2019 (O&M)  
Date of Decision:-10.12.2019

Jaspreet Singh @ Babloo

... Petitioner

Versus

State of Punjab

... Respondent

**CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL**

Present:- Dr. Anmol Rattan Sidhu, Senior Advocate with  
Mr. Nandan Jindal, Advocate for the petitioner.

Ms. Ruchika Sabherwal, Assistant Advocate General, Punjab.

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**GURVINDER SINGH GILL, J.**(Oral)

1. The petitioner has approached this Court seeking grant of regular bail in respect of a case registered vide FIR No.08 dated 11.1.2019 at Police Station Jamalpur, District Ludhiana under Sections 376 and 506 of Indian Penal Code and Section 4 of POCSO Act.
2. The FIR was lodged at the instance of Raj Kumar Jha, wherein it has been alleged that his daughter aged about 6 years had been raped by the petitioner.
3. The learned counsel for the petitioner has submitted that a false FIR came to be lodged due to some misunderstanding and that when the complainant Raj Kumar as well as his wife stepped into the witness box, they have not supported the case of prosecution and have resiled from their statements and have not identified the petitioner to be the accused.

4. The learned State counsel, on the other hand, has submitted that in view of the serious allegations levelled in the FIR, no case for grant of bai is made out.
5. I have considered rival submissions addressed before this Court.
6. Bearing in mind the fact that material eye-witnesses have resiled from their statements, further detention of the petitioner who has been behind bars since eleven months will not serve any useful purpose. The petition, as such, is accepted and it is ordered that the petitioner be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

**10.12.2019**

pankaj

**( Gurvinder Singh Gill )  
Judge**

Whether speaking /reasoned                      Yes / No

Whether Reportable                                      Yes / No