

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

216

CRM-M-50705-2019

Date of Decision:18.12.2019

Gagandeep Singh

.....Petitioner

Versus

State of Punjab and another

.....Respondents

CORAM: HON'BLE MR.JUSTICE HARI PAL VERMA.

Present: Mr. Sukhbir Singh, Advocate,
for the petitioner.

Mr. Sukhbeer Singh, AAG, Punjab.

Mr. Apanjyot Singh Virk, Advocate,
for the complainant-respondent No.2.

HARI PAL VERMA, J.(Oral)

Prayer in this petition filed under Section 439 Cr.P.C. is for grant of regular bail to the petitioner in FIR No.227 dated 03.10.2019 under Sections 376, 511 IPC and Section 8 of the Protection of Children From Sexual Offences Act, 2012, registered at Police Station Beas, District Amritsar Rural.

Power of attorney filed on behalf of the complainant today in the Court, is taken on record.

Learned counsel for the petitioner relies upon the affidavits filed by the prosecutrix and her mother, Annexures P-2 and P-3, wherein they have disowned the allegations of commission of attempt to rape. He states that the petitioner is in custody since 03.10.2019.

Learned counsel for the complainant has not disputed the veracity of the affidavits and states that the prosecutrix and her mother have no objection in case the petitioner is admitted on bail.

Learned State Counsel, on instructions from ASI Tarsem Singh, does not dispute the custody period and states that challan in the case has been presented and charges are yet to be framed.

Heard learned counsel for the parties.

Considering the fact that the petitioner is in custody since 03.10.2019, trial is not likely to be concluded in the near future, coupled with the fact that the prosecutrix and her mother have submitted their affidavits, Annexures P-2 and P-3, diluting the allegations made in the initial version of the FIR, this Court finds that culpability of the petitioner is yet to be established during the course of trial. Therefore, this Court deems it appropriate to admit the petitioner on bail.

Accordingly, the present petition is allowed and the petitioner is admitted on regular bail, subject to his furnishing bail bonds/surety bonds to the satisfaction of trial Court.

December 18, 2019
seema

(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No