

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

**CRM-M-788-2020
Decided on : 15.01.2020**

Kamaldeep Singh

. . . Petitioner(s)

Versus

State of Punjab

. . . Respondent(s)

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

PRESENT: Mr. S.K. Choudhary, Advocate
for the petitioner(s).

Ms. Devaki Anand Sullar, Asstt. AG, Punjab with
ASI Sulakhan Singh.

Mr. S.K. Arya, Advocate
for respondents No.2 to 4.

MANJARI NEHRU KAUL, J.

The instant petition has been filed under Section 439 Cr.P.C. for grant of regular bail in case FIR No. 273, dated 30.11.2019, registered under Sections 323, 341, 354, 506, 34 IPC and Section 8 of the POCSO Act, 2012, registered at Police Station City-I, District Moga.

It has been contended that the only allegation against the petitioner is that on the date of occurrence when the victim was returning from her school along with her brother she was accosted on the way by the co-accused, who then gave a slap to her brother. It has been further submitted that no specific role has been attributed to the petitioner *qua* any assault on the prosecutrix.

Learned State counsel on instructions from ASI Sulakhan Singh submits that the petitioner has admittedly been behind the bars since 30.11.2019. Learned State counsel does not controvert the fact that no specific role has been attributed to the petitioner *qua* the prosecutrix.

However, she submits that in view of the fact that challan has not been

submitted in the instant case, therefore, the concession of regular bail be not extended to him.

Mr. S.K. Arya, Advocate, has put in appearance on behalf of respondents No.2 to 4 submits that a compromise has been arrived at between the parties.

Having considered the submissions made by either side and without commenting upon the merits of the case coupled with the fact that the petitioner has been behind the bars since 30.11.2019 and no role has been attributed to him in the FIR *qua* the prosecutrix, further detention of the petitioner will not serve any useful purpose. The petition as such is allowed and the petitioner is admitted to bail to the satisfaction of trial Court/Duty Magistrate.

(MANJARI NEHRU KAUL)
JUDGE

January 15, 2020

J.Ram

Whether speaking/reasoned: *Yes/No*
Whether Reportable: *Yes/No*