

IN THE HIGH COURT OF PUNJAB AND HARYANA

AT CHANDIGARH

Criminal Misc. No.M-1279 of 2020

Date of Decision: 21.01.2020

Viru @ Balbir Singh

...Petitioner (s)

Versus

State of Punjab

...Respondent(s)

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

Present:- Mr. Rishu Mahajan, Advocate
for the petitioner.

Mr. Hittan Nehra, Addl.A.G., Punjab.

HARI PAL VERMA, J. (Oral)

Prayer in the present petition filed under Section 439 of the Code of Criminal Procedure, 1973 is for grant of regular bail to the petitioner in case FIR No.271 dated 18.11.2018 under Sections 363, 366A, 376/120-B IPC registered at Police Station Gate Hakima, District Amritsar.

Learned counsel for the petitioner has argued that the petitioner is neighbour of co-accused Gurdeep Singh @ Khanna and the only allegation against him is that he used to facilitate meetings between Gurdeep Singh @ Khanna and the victim, who is daughter of the

complainant. The prosecutrix was offered for her medical examination, which she refused. The petitioner is in custody since 09.10.2019.

Learned State counsel, on instructions from the ASI Gurbhajan Singh, does not dispute the custody of the petitioner and the fact that the prosecutrix was offered medical examination, but she has not come forward to undergo her medical examination.

I have heard learned counsel for the parties.

The allegation against the petitioner is that he used to facilitate meetings between co-accused Gurdeep Singh @ Khanna and the victim. There is no such allegation that he has committed any sexual assault upon the prosecutrix. Considering the fact that the petitioner is in custody since 09.10.2019 and trial in the case will take sufficient long time and no useful purpose would be served to keep the petitioner in custody, this Court deems it appropriate to release the petitioner on regular bail.

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

However, it is made clear that the observation made hereinabove shall not be construed as an expression on the merits of the case.

January 21, 2020
AK

(HARI PAL VERMA)
JUDGE

Whether speaking / reasoned?
Whether reportable?

Yes / No
Yes / No