

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

**CRM-M No.3420 of 2020 (O&M)**  
**DATE OF DECISION : 2<sup>nd</sup> JUNE, 2020**

**Jaskaran Singh**

**.... Petitioner**

**Versus**

**State of Punjab**

**.... Respondent**

**CORAM : HON'BLE MR. JUSTICE RAJBIR SEHRAWAT**

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**In virtual Court**

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Present:      Mr. Brijeshwar Singh Bhalla, Advocate for the petitioner.  
                    Mr. H. S. Sullar, DAG, Punjab.

\* \* \* \*

**RAJBIR SEHRAWAT, J. (Oral)**

**CRM-11910-2020**

This is an application for placing on record the statement of Gurmeet Kaur, recorded under Section 164 Cr.P.C. as Annexure P-2.

The application is allowed as prayed for.

**CRM-M No.3420 of 2020**

The present petition has been filed by the petitioner under Section 439 Cr.P.C. for grant of bail pending trial in case FIR No.191 dated 12.09.2019 under Sections 451, 354 & 506 (Section 120-B IPC added later on) and Section 8 of the Protection of Children from Sexual Offences Act, 2012, at Police Station Dharamkot, District Moga.

It is contended by the counsel for the petitioner that the case against the petitioner is totally concocted. The petitioner is not named in the FIR at all. Even in the statement, recorded under Section 164 Cr.P.C., the victim has not leveled the main allegations against the

petitioner. The petitioner is alleged to have come to the door of her house, when the accused Gurpreet Singh @ Gori was inside with the victim. Therefore, no direct role has been attributed to the petitioner, even as per the statement recorded under Section 164 Cr. P.C. Still further, it is submitted that the main accused Gurpreet Singh has already been released on anticipatory bail. The petitioner is in custody for a period of about six months. The petitioner is not required for any investigation purposes. Hence, the petitioner deserves to be released on bail.

On the other hand, the counsel for the State, on instructions from ASI Ravinder Kaur, submits that the name of the petitioner has duly surfaced in the statement of the girl. Still further, it is submitted that the victim is yet to be examined before the court. However, it is not disputed that the main accused has already been granted concession of anticipatory bail. It is also not disputed that the petitioner is in custody for about six months.

In view the above, but without expressing any further opinion on the merits of the case, the present petition is allowed. The petitioner is ordered to be released on bail pending trial subject to his furnishing bail bonds/surety to the satisfaction of the Trial Court/Duty Magistrate, concerned.

**2<sup>nd</sup> June, 2020**  
*'raj'*

**(RAJBIR SEHRAWAT)**  
**JUDGE**

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|-----------------------------------|------------|-----------|
| <i>Whether speaking/reasoned:</i> | <i>Yes</i> | <i>No</i> |
| <i>Whether Reportable:</i>        | <i>Yes</i> | <i>No</i> |