

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

CRM-M-9252-2020 (O&M)
Decided on :06.03.2020

Sikander Singh @ Bobby

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. C.S.Rana, Advocate
for the petitioner.

Ms. Jaspreet Kaur, AAG, Punjab.

Mr. Karan Padam, Advocate
for the complainant.

Manjari Nehru Kaul, J.

CRM-8204-2020

This is an application for addition of Section 8 of POCSO Act in the head note as well as in the prayer clause of the petition and for deletion of Section 4 of POCSO Act in the head note as well as in the prayer clause of the petition.

Learned counsel for the applicant submits that after the investigation, the prosecution filed challan for the offences under Sections 363, 366-A IPC and Section 8 of POCSO Act and deleted the offence under Section 4 of POCSO Act.

For the reasons mentioned in the application, same is allowed.
Registry is directed to make necessary corrections in the petition.

Main case

Instant petition has been filed under Section 439 Cr.PC for

grant of regular bail to the petitioner in case FIR No.186 dated 14.06.2017 registered under Sections 363, 366-A IPC and Section 8 of POCSO Act registered at Police Station Salem Tabri, District Ludhiana.

Learned counsel for the petitioner contends that the FIR in question was lodged by the father of the prosecutrix on account of some misunderstanding. In fact the prosecutrix as well as the petitioner are happily married and have been blessed with a child also.

Learned State counsel while opposing the bail application, has not been able to controvert the submissions made by learned counsel for the petitioner. She, on instructions from ASI Preetpal Singh submits that the charges have not yet been framed and are likely to be framed in the near future.

Learned counsel for respondent No.2 does not dispute the submissions made by learned counsel for the petitioner.

Keeping in view the facts and circumstances, present petition is allowed and the petitioner is admitted to bail to the satisfaction of the trial court/Duty Magistrate concerned. It is however, made clear that nothing observed herein above would be construed as an expression on the merits of the case.

(MANJARI NEHRU KAUL)
JUDGE

06.03.2020

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Whether speaking/reasoned:
Whether reportable :

Yes/No
Yes/No