

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

CRM-M-10517 of 2020.

Decided on:- March 19, 2020.

Sumit Kumar.

.....Petitioner.

Versus

State of Punjab.

.....Respondent.

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

Present:- Mr. Maneet Kumar Arya, Advocate
for the petitioner.

Ms. Ruchika Sabharwal, AAG, Punjab.

HARI PAL VERMA, J. (Oral)

The petitioner has filed present petition under Section 439 Cr.P.C. for grant of regular bail in FIR No.165 dated 15.10.2018 under Sections 354, 354-A and 506 IPC as well as Section 12 of the Protection of Children from Sexual Offences Act, 2012 registered at Police Station Urban Estate, District Patiala.

Learned counsel for the petitioner submits that the alleged incident is of dated 10.03.2018 and the present FIR was registered on 15.10.2018. Even otherwise, the matter was compromised between the parties on 14.07.2018 (Annexure P-3), wherein the complainant has specifically stated that the matter has been compromised between the parties without any pressure and force.

He further states that the petitioner is in custody since 11.10.2019 and the trial is not likely to be concluded in near future. He also

refers to the *WhatsApp* messages attached with the petition including the message dated 31.08.2019 sent by the prosecutrix, wherein she has stated that nothing has happened with her.

Learned State counsel submits that nobody has come to assist her in the case.

Considering the nature of allegations and the fact that the matter was at one stage, compromised between the parties vide Annexure P-3 and the trial is not likely to be concluded in near future, this Court finds that the petitioner deserves to be admitted on bail.

Accordingly, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing adequate bail and surety bonds to the satisfaction of learned trial Court.

The observations made hereinabove shall not be construed as an expression of opinion on the merits of the case and the trial Court shall decide the case without being influenced with these observations in any manner.

March 19, 2020

Yag Dutt

(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned: Yes

Whether Reportable: No