

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-15856-2020

Date of Decision: 07.08.2020

Vijay Kumar @ Daljit Singh

.... Petitioner

Versus

State of Punjab

.... Respondent

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

Present: - Mr. Munish Puri, Advocate for the petitioner.

Mr. Bhupender Beniwal, AAG, Punjab.

RAMENDRA JAIN, J. (ORAL)

Case has been taken up for hearing through video conferencing due to pandemic Covid-19.

Through this petition under Section 439 Cr.P.C., petitioner-Vijay Kumar @ Daljit Singh, has prayed for grant of regular bail in case FIR No. 13 dated 17.02.2020 registered under Section 376 IPC and Section 4 of the POCSO Act at Police Station Khilchian, District Amritsar (Rural).

According to prosecution, petitioner along with his co-accused had enticed away the victims/prosecutrix who are real sisters on the pretext of marriage. Allegations against the petitioner are that he had raped one of the victim/prosecutrix who is minor.

Learned counsel for the petitioner *inter alia* contends that petitioner has falsely been implicated in the instant case. Petitioner is in

custody since 27.03.2020. Conclusion of trial may take long time. No useful purpose would be served by detaining him in jail. Co-accused of petitioner, namely; Gursewak Singh and Amritpal, have already been granted the concession of anticipatory bail by this Court vide orders dated 19.03.2020 and 18.08.2020 (Annexures P-2 and P-3, respectively). Thus, treating the case of petitioner on the same parity, he may also be granted regular bail.

On the other hand, learned State counsel vehemently opposed the submissions of learned counsel for the petitioner.

Considering overall facts and circumstances, but without expressing any opinion on the merits of case, the petition is allowed. Consequently, petitioner-Vijay Kumar @ Daljit Singh, is ordered to be released on bail pending trial, if, not required in any other case, on his furnishing adequate bail and surety bonds to the satisfaction of trial Court/Duty Magistrate, concerned.

August 07, 2020
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(RAMENDRA JAIN)
JUDGE

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No