

IN THE HIGH COURT OF PUNJAB AND HARYANA

AT CHANDIGARH

Criminal Misc. No.M-15900 of 2020 (O&M)

Date of Decision: 06.07.2020

Sadhu Ram

...Petitioner (s)

Versus

State of Punjab

...Respondent(s)

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

Present:- Mr. Abhishek Bhateja, Advocate
for the petitioner.

Mr. Amit Mehta, Sr. DAG, Punjab.

HARI PAL VERMA, J. (Oral)

CRM-13959-2020:

The application is allowed, as prayed.

Criminal Misc. No.M-15900 of 2020

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.171 dated 29.09.2018 under Sections 363, 376, 366-A, 34 IPC and Sections 3 and 4 POCSO Act registered at Police Station City Muktsar.

Learned counsel for the petitioner has argued that except that the petitioner has accompanied the other accused Ashok Kumar to

Mumbai, there is no allegation against the petitioner that he has assaulted the prosecutrix in any manner. He has referred to the statement of the prosecutrix Annexure P-2 and submitted that at the most, the allegation against the petitioner may be that he has extended help to accused Ashok Kumar, who brought the prosecutrix to Mumbai. The petitioner is in custody since 28.08.2019 and nothing is to be recovered from him.

Learned State counsel does not dispute the custody of the petitioner and the fact that there is no allegation against the petitioner that he has sexually assaulted the prosecutrix.

I have heard learned counsel for the parties.

Admittedly, there is no allegation against the petitioner that he has sexually assaulted the prosecutrix in any manner. Considering the fact that the petitioner is in custody since 28.08.2019 and trial in the case will take sufficient long time and no useful purpose would be served by keeping 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/Duty Magistrate.

July 06, 2020
AK

(HARI PAL VERMA)
JUDGE

Whether speaking / reasoned?

Yes / No

Whether reportable?

Yes / No