

209 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-17708-2020
Date of Decision: 23.07.2020

Sunny Masih

... Petitioner

v/s

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Mr. Jagdish Singh Mahal, Advocate
for the petitioner.

Mr. M.S.Nagra, AAG Punjab.

*(The case has been taken up through video conferencing on
account of Covid-19 pandemic)*

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VIVEK PURI, J. (ORAL)

The petitioner has prayed for grant of regular bail in case FIR No.72 dated 9.8.2019, under Section 511 of IPC and Sections 7, 8 of Prevention of Children from Sexual Offences Act, 2012 (Section 363, 366, 376 of IPC added later on) registered at Police Station Kotli Surat Malhi, District Gurdaspur.

Briefly, the FIR has been registered on the basis of the allegations that petitioner had enticed the victim on the pretext of solemnizing marriage with her. On 4.8.2019, the petitioner tried to commit forcible sexual intercourse with the victim. On the next date, the victim was taken to a Hotel in Amritsar where the petitioner again tried to commit rape upon her but she managed to save herself.

It has been contended by learned counsel for the petitioner that the arrest of the petitioner was effected on 11.8.2019, material witnesses have been examined and significantly, victim during the course of her

statement in the Court has not supported the prosecution version. She has deposed to the effect that the petitioner neither kidnapped her nor committed sexual assault upon her.

Learned State counsel has not disputed the factual aspect of the matter.

Considering the above and the fact that conclusion of trial is likely to consume some time, further detention of the petitioner may not be justified. Therefore, without making any expression of opinion on the merits of the case, it is ordered that the petitioner be released on regular bail subject to his furnishing requisite bail bonds/surety bonds to the satisfaction of the concerned trial Court/Chief Judicial Magistrate/Duty Magistrate.

The petition is allowed.

23.07.2020

Janki

(VIVEK PURI)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No