

**In the High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-18072-2020 (O&M)
Date of Decision:-28.9.2020

Balraj Singh @ Kohli

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Gagandeep Singh Bajwa, Advocate for the petitioner.

Mr. Sukhbeer Singh, AAG, Punjab.

(proceedings conducted through video conferencing)

GURVINDER SINGH GILL, J.(Oral)

1. The petitioner has approached this Court seeking grant of regular bail in respect of a case registered vide FIR No.12 dated 29.2.2020 at Police Station Tarsikka, District Amritsar under Section 354, 354-A and 506 of Indian Penal Code and Sections 8 and 12 of POCSO Act.
2. The FIR was lodged at the instance of Sukhwinder Kaur, wherein it has been alleged that her school going daughter aged about 8 years usually goes to school alongwith Rohanpreet Kaur, Ritika and Akwinder Kaur, who also studied in the same school. It is alleged that on 29.2.2020 when her daughter returned back from school she seemed very scared and did not disclose anything. When the complainant went to the house of Ritika, even she was

found to be very scared and who disclosed that on 27.2.2020 complainant's daughter and Ritika had gone to the shop of Balraj Singh @ Kohli (petitioner), who took them inside the shop and started kissing them and also hugged them.

3. The learned counsel for the petitioner has submitted that the FIR came to be lodged under some misunderstanding, which has now been resolved, and that a compromise has been effected amongst the parties and an affidavit as regards compromise has also been executed by the complainant as well as by parents of the other victims.
4. The learned State counsel had been asked to verify about the factum of compromise, who upon instructions from ASI Sukhdev Singh, has informed that the parties indeed seem to have compromised the matter. The learned State counsel has further informed that the petitioner has been behind bars since the last about 7 months and is not involved in any other case.
5. I have considered rival submissions addressed before this Court.
6. Bearing in mind the nature of allegations and also that the parties are stated to have compromised the matter and while also noticing that the petitioner has been behind bars since the last more than seven months, no useful purpose would be served by further detaining the petitioner behind bars. The petition, as such, is accepted and the petitioner is ordered to be released on regular bail on his furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

28.9.2020

pankaj

Whether speaking /reasoned

Whether Reportable

Yes / No

Yes / No

**(Gurvinder Singh Gill)
Judge**