

**IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH**

**CRM-17696-2020 in/and
CRM-M- 18677-2020 (O&M)
Date of Decision: July 28, 2020**

Gurpreet Singh alias Gori

... Petitioner

Versus

State of Punjab

... Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Suvir Kumar, Advocate
for the petitioner.

Ms. Rashmi Attri, AAG, Punjab.

JAISHREE THAKUR, J. (Oral)

CRM-17696-2020

For the reasons mentioned in the application, the same is allowed. Documents as Annexure P-6 is taken on record.

CRM-M- 18677-2020

The instant petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No.144 dated 10.10.2018, under Sections 363, 366-A, 120-B Indian Penal Code and Section 7, 8 of POCSO Act, 2012, registered at Police Station Sadar Faridkot, District Faridkot.

Learned counsel for the petitioner contends that the petitioner herein was taken into custody in the aforesaid FIR on 13.10.2018. It is submitted that the petitioner has been falsely implicated in the present case. It is also contended that the allegations as set out in the FIR are not sustainable while further arguing that the statement of the prosecutrix has been recorded under Section 164 Cr.P.C. wherein she has denied the allegations as set out in the FIR and that the material witnesses have been examined and the conclusion of trial will take sufficient time, therefore, the petitioner is entitled to be enlarged on bail.

Per contra, learned counsel appearing on behalf of respondent-State, on instructions from the Investigating Officer-ASI Ravinder Kaur, opposes the grant of regular bail to the petitioner, while submitting that offences alleged against the petitioner are serious in nature, however, she does not dispute the fact that the statement of the prosecutrix including the material witnesses has been recorded.

I have heard learned counsel for the parties.

In view of the restricted working of the Courts due to pandemic COVID-19 situation, the trial is likely to take some time and in view of the facts that the petitioner herein has been in custody since 13.10.2018 and that statement of the prosecutrix has been recorded and she has not supported the version of the prosecution which is evident from the statements/cross-examination as annexed and that the material witnesses including the complainant have been examined, no useful purpose would be served in keeping the petitioner behind bars. At this stage, without commenting on the merits of the case, the instant petition is allowed and the

petitioner is directed to be released on regular bail on execution of adequate personal/surety bond to the satisfaction of concerned trial Court/Duty Magistrate.

July 28, 2020 <i>seema</i>	(JAISHREE THAKUR) JUDGE
Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No