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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No. 18713 of 2020
Date of decision: 31.07.2020

Seera Singh

.....Petitioner

V/s.

State of Punjab

.....Respondents

CORAM: - HON'BLE MR. JUSTICE SANJAY KUMAR

Present: Mr. Parminder Singh Sekhon, Advocate, for the petitioner.

Mr. H.S. Sullar, Deputy Advocate General, Punjab.

Sanjay Kumar, J.

The petitioner is one of the accused in FIR No. 68 dated 14.06.2019 on the file of Police Station Badhni Kalan, District Moga, registered under Sections 376 and 506 IPC. By way of this petition, he seeks grant of regular bail.

According to the prosecution, the victim-girl was alone at her home on 06.06.2019 when the petitioner forcibly entered into her house and committed rape upon her. He is alleged to have attempted a similar act on the intervening night of 12/13.06.2019, while the family members of the victim-girl were sleeping. The victim-girl is stated to have raised an alarm at that point of time, whereupon the petitioner ran away.

On the other hand, the petitioner claims that he was in a

relationship with the victim-girl and that they had also travelled to Amritsar and had also met on several occasions at various places. He further claims that owing to the objections raised by the girl's family, this false case was foisted upon him.

Be it noted that the victim-girl is, admittedly, a major. Further, during her cross-examination, she specifically conceded that she had gone to the Amritsar Golden Temple with the petitioner and had taken several photographs with him. This admission on her part is of great relevance.

The petitioner has been in custody since 15.06.2019. As the challan in this case has already been filed and the victim-girl has also been examined, this Court is of the opinion that the petitioner would be entitled to relief at this stage, as there is no possibility of a speedy trial being undertaken at this stage owing to the Corona Virus Pandemic.

The petition is accordingly allowed directing the release of the petitioner on regular bail in FIR No. 68 dated 14.06.2019 on the file of Police Station Badhni Kalan, District Moga, upon the petitioner furnishing a personal bond for a sum of Rs. 20,000/- along with two sureties for a like sum each to the satisfaction of the Illaqa/Duty Magistrate concerned. Further, the petitioner shall not cause any inducement, threat or promise to any person concerned with the case.

(SANJAY KUMAR)
JUDGE

31.07.2020

rakesh

whether speaking/non speaking : Yes/no

whether reportable/non reportable : Yes/no