

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

CRM-M No.18834 of 2020 (O&M)
Date of Decision.04.09.2020
(Heard through VC)

Mangpreet Singh

...Petitioner

Vs

State of Punjab

...Respondent

CORAM:HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: Mr. R.K. Arya, Advocate
for the petitioner.

Ms. Samina Dhir, DAG, Punjab.

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JAISHREE THAKUR J. (ORAL)

This is a petition that has been filed for grant of regular bail in case FIR No.59 dated 17.09.2019 under Sections 363, 366-A IPC and Section 8 of POCSO Act, 2012 (Sections 120-B, 376 IPC and Sections 6 and 7 of POCSO Act have been added later on) registered at Police Station Taragarh, District Pathankot.

Counsel for the petitioner herein would contend that the main accused, who has been charged of committing the offence is the brother of the petitioner herein. He is not named in the FIR and the only allegation levelled against him in the statement recorded under Section 164 Cr.P.C. is that the petitioner called her outside the house. Challan has already been presented and therefore, the petitioner is entitled to concession of bail.

Learned counsel appearing for the respondent-State opposes the bail application by submitting that no ground is made out for grant of bail to the petitioner.

I have heard learned counsel for the parties.

Keeping in view the fact that the petitioner has not been named in the FIR and the challan has already been presented coupled with the fact that the trial is likely to take some time to conclude due to COVID-19 situation, no useful purpose would be served in keeping the petitioner behind the bars. 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. However, any observation made herein shall not be construed to be an expression on merits of the case.

(JAISHREE THAKUR)
JUDGE

September 04, 2020

Pankaj*

Whether speaking/reasoned Yes/No

Whether reportable Yes/No