

HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH**CRM-M-19651-2020****Date of decision: 07.08.2020****Harpreet Singh @ Happy****....Petitioner(s)****V/s.****State of Punjab****.....Respondent(s)****CORAM: HON'BLE MS. JUSTICE RITU BAHRI.**

Present: Mr. L.M.Gulati, Advocate for the petitioner.

Mr. M.S.Dullat, Addl.A.G., Punjab.

Ritu Bahri, J. (Oral)

This petition under Section 439 Cr.P.C. is for grant of regular bail to the petitioner in case F.I.R. No. No. 143 dated 23.09.2019 under Sections 363, 366 of IPC later on added section 376 of IPC and Section 6 of Protection of Children from Sexual Offence Act 2012 registered at Police Station Cantonment Amritsar, District Amritsar.

Learned counsel for the petitioner refers to the statement made by PW-2 Amrik Singh (Annexure P-2). In his statement, the name of the prosecutrix is mentioned as S. Kaur and name of the mother as K. Kaur and name of the father is mentioned as S. Singh as per the original record pertaining to birth entries. However as per the FIR, the name of the mother of the prosecutrix is Manjeet Kaur. He further states that he is not a habitual offender.

On specific query put to learned counsel for the State, he informed that the petitioner has been in custody since 13.10.2019. Challan has been presented. The allegation in the FIR is that the petitioner had enticed the minor girl of the complainant.

The petitioner is in custody since 13.10.2019 and the trial is not likely to be concluded in near future, hence without expressing any opinion on the merits of the case, this petition is allowed and the petitioner is ordered to be enlarged on bail to the satisfaction of the concerned Chief Judicial Magistrate/Duty Magistrate.

However it is made clear that petitioner after being released on regular bail will not get in touch with the complainant or any of her family members.

07.08.2020**Divyanshi****RITU BAHRI
(JUDGE)****Whether speaking/reasoned:****Yes/No****Whether reportable:****Yes/No**