

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

CRM-M-20841-2020(O&M)

Date of decision: 25.11.2020

Chhinda Singh @ Shinderpal Singh

...Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Parvez Chugh, Advocate for the petitioner.

Mr. Mehardeep Singh Dullat, Addl. AG Punjab.

HARNARESH SINGH GILL, J. (ORAL)

Case is taken up for hearing through video conferencing.

The petitioner has filed this petition under Section 439 of Cr.P.C. for grant of regular bail in case FIR No. 60 dated 02.06.2020 registered under Sections 354-A/354 IPC and Section 8 of the Protection of Children from Sexual Offences (**POCSO**) Act, 2012 at Police Station Makhu, District Ferozepur.

Learned counsel for the petitioner states that the petitioner has been implicated in the present case because of money dispute between the petitioner and the parents of the prosecutrix.

Vide order dated 14.10.2020, a Coordinate Bench asked the learned trial Court to make an endeavour to examine the prosecutrix after framing of charge.

The statements of PW-3-Parveen Kaur-mother of the prosecutrix and PW-2-Amandeep Kaur-prosecutrix, submitted by the learned counsel for the petitioner counsel through email, are taken on record.

As per the aforesaid statements, both the witnesses have failed to name the petitioner as an accused, rather they have been declared hostile.

Learned State counsel submits that there are serious allegations against the petitioner but has not disputed the factum that the prosecutrix and her mother have been declared hostile.

I have heard the learned counsel for the parties.

The prosecutrix and her mother have been declared hostile. The trial will take time to conclude, especially due to prevailing situation of Covid-19. Thus, no useful purpose would be served by keeping the petitioner behind the bars.

In view of the above, without commenting anything on the merits, lest it should prejudice the case of either side, the petition is allowed and the petitioner is ordered to be released on regular bail to the satisfaction of the learned trial Court/Duty Magistrate.

(HARNARESH SINGH GILL)
JUDGE

25.11.2020
Mangal Singh

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No