

**In the High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-23964-2020 (O&M)
Date of Decision:-4.11.2020

Shiv Kumar

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Mohinder Singh Joshi, Advocate for the petitioner.

Mr. Rana Harjasdeep Singh, DAG, Punjab.

(proceedings conducted through video conferencing)

GURVINDER SINGH GILL, J.(Oral)

CRM-26106-2020

In view of the reasons mentioned in the application, the same is allowed and the documents annexed with the application are taken on record as Annexures P-6 to P-10 subject to all just exceptions.

CRM-M-23964-2020

1. The petitioner has approached this Court seeking grant of regular bail in respect of a case registered vide FIR No.77 dated 16.7.2020 at Police Station Banur District Patiala under Sections 354-A, 376 and 506 of Indian Penal Code and Sections 4 and 8 of POCSO Act.

2. Today, at the very outset, the learned counsel for the petitioner has informed that the victim as well as her father have been examined by the Trial Court and that none of them has supported the case of prosecution and both of them have been declared as hostile.
3. The aforestated position is not disputed by the learned State counsel.
4. Having regard to the aforestated position where the material witnesses have already been examined and they have not supported the case of prosecution, the petition is accepted and the petitioner is ordered to be released on regular bail on his furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

4.11.2020

pankaj

**(Gurvinder Singh Gill)
Judge**

Whether speaking /reasoned Yes / No

Whether Reportable Yes / No