

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

213)

CRM-M-26928 of 2020

Date of Decision: 16.12.2020

Sahil

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present:- Mr. Vinay Puri, Advocate, for the petitioner.
Mr. Amit Mehra, Sr. DAG, Punjab.

Amol Rattan Singh, J. (Oral)

All the cases listed today have been taken up for hearing by way of video conferencing because of the situation existing due to the Covid-19 pandemic.

By this petition, filed under the provisions of Section 439 of the Cr.P.C., the petitioner seeks the concession of regular bail, upon FIR no.01, dated 06.01.2020, having been registered at Police Station City Kurali, District SAS Nagar, alleging therein the commission of offences punishable under Sections 354, 354D of the IPC and Section 8 of Protection of Children from Sexual Offences Act, 2012.

Learned counsel for the petitioner submits that the petitioner had no ill intention towards the prosecutrix at all, with him also having disclosed his address to her mother, as is not denied, and consequently he now having been in custody for almost one year, with no prosecution witness out of 12 having been examined so far, he deserves to be admitted to bail.

He further submits that in fact the petitioner was also accused of the commission of an offence punishable under the provisions of Section

376 of the IPC earlier registered against him by a different person, in which case he has been acquitted, with the investigating officer in that case being the investigating officer in this case also.

Without making any comment on the actual merits of the case, looking simply at the period of custody of the petitioner and the allegation in the present case, as also the age of the petitioner, the present petition is allowed, with the petitioner ordered to be enlarged on bail, upon his furnishing adequate bail and surety bonds to the satisfaction of the learned trial Court/CJM/Duty Magistrate concerned.

16.12.2020
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(AMOL RATTAN SINGH)
JUDGE

Whether reasoned/speaking: Yes
Whether reportable: No