

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

**CRM-M-29915-2019
Decided on : 28.01.2020**

Jugraj Singh

... Petitioner(s)

Versus

State of Punjab

... Respondent(s)

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

PRESENT: Mr. B.S. Jaswal, Advocate
for the petitioner(s).

Ms. Devaki Anand Sullar, Asstt. AG, Punjab
assisted by ASI Lakhwinder Singh.

Mr. R.S. Sidhu, Advocate
for the complainant..

MANJARI NEHRU KAUL, J.

The instant petition has been filed under Section 439 Cr.P.C. for grant of regular bail in case FIR No. 116, dated 26.10.2018, registered under Sections 376, 506 IPC and Section 6 of the POCSO Act, 2012, registered at Police Station Verowal, District Tarn Taran.

It has been *inter alia* contended that only concocted and baseless allegations have been levelled against the petitioner *qua* the alleged offences. Besides, FIR has been lodged belatedly i.e. after 05 years from the alleged date of occurrence. It has been submitted that the petitioner has been behind the bar ever since the registration of the FIR i.e. from 26th October, 2018. As on date, only 03 prosecution witnesses out of 17 cited, have been examined, which includes prosecutrix and her mother.

Learned State counsel on the other hand while opposing the bail application does not dispute the fact that the FIR has been lodged after a period of approximately 04 years, 10 months of the alleged date of occurrence and also the fact that the prosecutrix as well as her mother stand

examined. But keeping in view the nature of allegations levelled against the petitioner, learned State counsel has opposed the grant of regular bail to the petitioner.

Having considered the submissions made by either side and without commenting upon the merits of the case coupled with the fact that the petitioner has been behind the bars for approximately 05 years and the star witness i.e. the prosecutrix has already been examined, further detention of the petitioner will not serve any useful purpose. The petition as such is allowed and the petitioner is admitted to bail to the satisfaction of trial Court/Duty Magistrate. However, it is made clear that anything observed herein shall not be construed as an expression of opinion on the merits of the case.

(MANJARI NEHRU KAUL)
JUDGE

January 28, 2020

J.Ram

Whether speaking/reasoned: *Yes/No*
Whether Reportable: *Yes/No*