

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

**CRM-M No.43529 of 2019
Date of Decision.04.02.2020**

Gobind Singh @ Gobinda ...Petitioner
Vs
State of Punjab ...Respondent

CORAM:HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: Mr. A.N. Walia, Advocate
for the petitioner.

Mr. Sidakmeet Singh Sandhu, AAG, Punjab.

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JAISHREE THAKUR J. (ORAL)

1. The instant petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No.119 dated 09.06.2017 under Sections 354, 354-A, 506, 34 IPC and under Section 8 of POCSO Act, 2012 registered at Police Station Patti, Gate Hakima, Amritsar.
2. Learned counsel for the petitioner would contend that Manish Devgan, the main accused stands acquitted in the aforementioned FIR. It is argued that allegations against the said accused were similar i.e. obscene gestures and obscene comments but allegations were also made against Manish Devgan that he caught hand of the complainant and dragged her while giving threats. It is contended that in those proceedings, the complainant has turned hostile, while further stating that the petitioner has been in custody since 20.03.2019 and therefore, he is entitled to be enlarged on bail.
3. At this stage, learned counsel for the respondent-State submits that the prosecutrix has been summoned for 13.02.2020 and therefore, proceedings ought to be deferred to a later date.

4. I have heard learned counsel for the parties.

5. Keeping in view the fact that the complainant has turned hostile in the proceedings qua Manish Devgan, who had similar allegations, if not worse, as has been made against the present petitioner and the fact that she has not put in appearance on six preceding dates, this Court deems it appropriate to grant concession of bail to the petitioner. The instant petition is allowed and the petitioner is directed to be released on regular bail on execution of adequate personal bond and surety bond to the satisfaction of concerned trial Court/Duty Magistrate. However, any observation made herein is not to affect the merit of the case.

(JAISHREE THAKUR)
JUDGE

February 04, 2020
Pankaj*

Whether speaking/reasoned Yes/No

Whether reportable Yes/No