

226.

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

**CRM-M-47663-2019**

Date of decision: 03.03.2020

SAGAR

... Petitioner

versus

STATE OF PUNJAB

.... Respondent

**CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA**

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Present: Mr. Sukhdeep Singh Bhinder, Advocate,  
for the petitioner.

Ms. Ruchika Sabherwal, AAG, Punjab.

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**HARI PAL VERMA, J. (Oral)**

Prayer in the present petition filed under Section 439 Cr.P.C. is for grant of regular bail to the petitioner in case FIR No.104 dated 21.07.2019 registered under Sections 376, 363, 366-A of IPC and Section 4 of POCSO Act, 2012 at Police Station Sadar Bathinda, District Bathinda.

Learned counsel for the petitioner states that the prosecutrix (PW2) as well as PW3-Sonu Rani, who is the mother of the prosecutrix, have been examined in the case and they have been declared hostile. Even the medical conducted on the person of the prosecutrix does not support the case of the prosecution. Petitioner is in custody since 25.08.2019.

Learned State counsel does not dispute the custody. However, she states that medical report in the case has been received and the report is found 'negative'.

Having heard learned counsel for the parties, this Court deems it appropriate to admit the petitioner on bail.

Accordingly, the present petition is allowed and the petitioner is admitted on regular bail subject to his furnishing bail bonds/surety bonds to the satisfaction of trial Court.

It is made clear that the petitioner shall not extend any threat and shall not influence any prosecution witnesses in any manner directly or indirectly.

The observations made hereinabove shall not be construed as an expression on the merits of the case and the trial Court shall decide the case on the basis of available material.

**(HARI PAL VERMA)**  
**JUDGE**

03.03.2020  
sanjeev

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|----------------------------|--------|
| Whether speaking/reasoned? | Yes/No |
| Whether reportable?        | Yes/No |