

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

CRM-M-47681 of 2019 (O&M)
Date of Decision: January 28, 2020

Harjit Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Ms. Anupam Bhanot, Advocate
for the petitioner.

Mr. Davinder Bir Singh, DAG Punjab.

JAISHREE THAKUR, J. (Oral)

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 07.08.2019, under Sections 354, 354-A, 506 of Indian Penal Code and Sections 7/8 of POCSO Act registered at Police Station "C" Division, District Amritsar.

Learned counsel for the petitioner contends that the petitioner herein was taken into custody in the aforesaid FIR on 07.08.2019. It is argued that the FIR in question has been lodged by the father of the prosecutrix, the complainant herein, to escape the liability of returning the loan amount of ₹ 1,50,000/-. It is submitted that the said amount of ₹ 1,50,000/- had been advanced as a loan to the complainant and the amount was returned by a cheque, which subsequently stood dishonoured. It is further argued that there are various discrepancies in the statement of the

complainant, which would show that the entire case as registered is a concocted story. It is also contended that the complainant would be the material witness in the instant case, whose statement has been recorded and conclusion of trial will take sufficient time, therefore, the petitioner is entitled to be enlarged on bail.

Per contra, learned counsel appearing on behalf of respondent-State, on instructions from the Investigating Officer, opposes the grant of regular bail to the petitioner, however, does not dispute the out of total 13 witnesses, 02 witnesses have been examined, inclusive of the complainant.

I have heard learned counsel for the parties.

Since, the trial is likely to take some time and in view of the facts that the petitioner herein has been in custody since 07.08.2019 and that statement of the complainant has been recorded, no useful purpose would be served in keeping the petitioner behind bars. At this stage, without commenting on the merits of the case, 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, anything observed or said by this court is only for the purpose of deciding the instant petition for grant of regular bail and the same shall have no affect on the merits of the case.

January 28, 2020
vijay saini

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No