

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH
(Through video conferencing)**

220

**CRM-M-961-2021(O&M)
Decided on : 28.10.2021**

SATNAM SINGH

....Petitioner(s)

Versus

STATE OF PUNJAB

. . . Respondent(s)

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

PRESENT: Mr. Sumit Puri, Advocate
for the petitioner.

Ms. Jaspreet Kaur, AAG Punjab
assisted by ASI Sukha Singh.

MANJARI NEHRU KAUL, 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.219, dated 25.08.2020 under Sections 363 and 366-A of the IPC registered at Police Station Lehra, District Sangrur.

Learned counsel submits that the prosecutrix was just couple of months short of attaining the age of majority, when she of her own accord accompanied the petitioner in the intervening night of 17/18/.08.2020. He

submits that the factum of the victim having accompanied the petitioner of her own accord stands duly corroborated in her statement recorded under Section 164 CrPC, subsequent to her recovery on 30th August 2020. Learned counsel submits that as per his instructions, the prosecutrix reiterated the contents of her statement under Section 164 CrPC before the trial Court. A prayer has therefore been made to extend the concession of bail to the petitioner as he has now been in custody since 02.09.2020 and 10 prosecution witnesses remained to be examined. Submits that further incarceration of the petitioner shall serve no useful purpose and there is no likelihood of the petitioner trying to influence any evidence since the material witnesses already stand examined.

Per contra, learned State counsel while opposing the prayer and submissions of the counsel opposite on instructions from ASI Sukha Singh has not been able to controvert the contents of the statement of the victim recorded under Section 164 CrPC and also the factum of the victim being just a couple of months short of attaining the age of majority. She has apprised the Court that the next date of hearing before the trial Court is 15.11.2021, when some more prosecution witnesses are likely to be examined.

I have heard learned counsel and perused the material on record.

In view of the the facts and circumstances as enumerated hereinabove, the instant petition is allowed and the petitioner is admitted to bail to the satisfaction of trial Court/Duty Magistrate. However, it is made

clear that anything contained in this order shall not be construed to be an expression of opinion on the merits of the case.

(MANJARI NEHRU KAUL)
JUDGE

October 28, 2021
S.Sharma(syr)

<i>Whether speaking/reasoned:</i>	<i>Yes/No</i>
<i>Whether Reportable:</i>	<i>Yes/No</i>