

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

CRM-M-1190-2021(O&M)

Date of Decision: 02.09.2021

(Heard through VC)

Gaurav Sharma

...Petitioner

Versus

State of Punjab

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. G. S. Bajwa, Advocate
for the petitioner.

Ms. Rashmi Attri, AAG, Punjab.

Mr. G. S. Randhawa, Advocate
for the complainant.

JAISHREE THAKUR, J. (Oral)

The instant petition has been filed under Section 439 of Cr.P.C., for grant of regular bail to the petitioner in case FIR No.51 dated 02.04.2019 under Sections 376, 376-D, 506 IPC, Section 6 & 14 of POCSO Act and Section 67B of IT Act registered at Police Station Chheharta, District Amritsar.

Pursuant to the order dated 1.09.2021, counsel for the petitioner has placed on record original affidavit of Vijay Rani, complainant who is mother of the victim and the original power of attorney in his favour.

Learned counsel for the complainant has also filed the original power of attorney executed in his favour by the complainant-Vijay Rani.

Learned counsel for the petitioner herein would contend that the matter has been investigated and the challan has been presented and trial is likely to take some time to conclude. Counsel for the petitioner herein would contend false implication, as would be evident from the fact that the matter stands compromised between the parties by way of an affidavit executed by the complainant before the Executive Magistrate on 13.05.2021. It is argued that the daughter of the complainant has already got married and settled in her matrimonial life and the victim does not want to pursue with the present case.

Learned counsel for the respondent-State would oppose grant of bail to the petitioner by contending that the allegations levelled against the petitioner are serious in nature but is not in a position to dispute the fact that the investigation stands completed and challan has been presented.

In view of the aforesaid facts and circumstances of the case notice hereinbefore, I deem it appropriate to grant concession of regular bail at this stage, the petition is allowed and the petitioner is ordered to be released on regular bail on his furnishing adequate bail and surety bonds to the satisfaction of trial Court/Duty Magistrate concerned.

Nothing observed in his order, would however, be construed as an observation on merits of the case.

02.09.2021*Riya***(JAISHREE THAKUR)
JUDGE**

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