

In virtual Court

CRM-M-3219-2021

-1-

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-3219-2021 (O&M)
Date of decision: 29.01.2021

Piara Singh

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Rishu Mahajan, Advocate
for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for grant of regular bail in FIR No.99 dated 25.08.2019 under Sections 363, 366, 376, 506, 120-B IPC and Section 4 of POCSO Act, registered at Police Station Lohian, District Jalandhar.

Learned counsel for the petitioner relies upon the order dated 13.07.2020 passed in CRM-M-11052-2020, vide which co-accused Taljit Singh was granted the concession of regular bail. The operative part of the order reads as under: -

“...This Court is informed that the police completed the investigation in this case and filed a challan. Thereupon, the victim-girl was also examined before the trial Court. Significantly, she retracted from the version set out in her statement recorded

under Section 164 Cr.P.C and virtually gave a clean chit to the petitioner and the other accused. As the trial is already underway and the victim-girl has also been examined, this Court is of the opinion that the petitioner would be entitled to grant of relief at this stage, subject to conditions.

The petition is accordingly allowed directing the release of the petitioner on regular bail in FIR No. 99 dated 25.08.2019 on the file of Police Station Lohian, District Jalandhar, upon his furnishing a personal bond for a sum of Rs. 50,000/- along with two sureties for a like sum each to the satisfaction of the Illaqa/Duty Magistrate concerned. Further, the petitioner shall not cause any inducement, threat or promise to any person concerned with the case.”

For the sake of brevity, facts of the case are not reproduced.

Learned counsel for the petitioner has referred to the statement of victim, who appeared as PW2, wherein it is stated that both the accused i.e. petitioner Piara Singh and Taljit Singh have not made any physical relations with her and the petitioner has also not performed marriage with her. This witness has even denied having made the complaint to the police and stated that her signatures were obtained on blank papers.

Learned State counsel has filed the custody certificate dated 28.01.2021 in the Court today and has not disputed the factual position.

Without commenting anything on merits of the case, considering the aforesaid submissions and the fact that co-accused of the petitioner namely

In virtual Court

CRM-M-3219-2021

-3-

Taljit Singh has already been granted the concession of regular bail, this petition is allowed and the petitioner is directed to be released on regular bail subject to furnishing his bail/surety bonds to the satisfaction of the trial Court/Illaqa Magistrate/Duty Magistrate, concerned.

Petition is disposed of.

**[ARVIND SINGH SANGWAN]
JUDGE**

29.01.2021
vishnu

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No