

CRM-M-5872-2021

Date of Decision: 14.10.2021

Sanjay Kumar

..... Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Gaurav Mohunta, Advocate, for the petitioner.

Mr. M.S.Nagra, Assistant Advocate General, Punjab.

Rajesh Bhardwaj, J. (ORAL)

Matter has been taken up through video conferencing via Webex facility in the light of the Pandemic Covid-19 situation and as per instructions.

The present petition has been filed under Section 439 Cr.P.C for grant of regular bail to the petitioner in FIR No.85 dated 15.5.2019 registered under Sections 363, 366-A, 354-A IPC and Section 8 of POCSO Act, 2012 (Sections 109, 328, 354, 376 IPC and Sections 4, 17 of POCSO Act were added later on) at Police Station City Sunam, District Sangrur, Punjab.

Learned counsel for the petitioner submits that the petitioner is behind bars since 17.5.2019. He submits that the allegations are false and frivolous and no offence under Section 4 of POCSO Act, 2012 is made out from the bare reading of the FIR.

On the other hand, learned State counsel, on instructions from Sham Singh, submits that in all there are 26 prosecution witnesses, out of

which 14 witnesses have already been examined. He has submitted that the prosecutrix has already been examined and she has duly supported the case of the prosecution. Hence, the petitioner does not deserve sympathy for grant of bail.

I have heard learned counsel for the parties.

There is no denial to the fact that the petitioner is behind bars from the last more than two years. As on date, half of the witnesses are examined and in the overall facts and circumstances, I find it appropriate to dispose of the present petition with a direction to the trial Court to conclude the trial as expeditiously as possible preferably within a period of six months from the date of receipt of certified copy of this order.

(RAJESH BHARDWAJ)
JUDGE

14.10.2021
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Whether Speaking/Reasoned	:	Yes/No
Whether Reportable	:	Yes/No