

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

214

CRM-M No.7793 of 2021
Date of decision:25.02.2021

Jagdeep Singh

.....Petitioner

Vs

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr.G.S.Nahel, Advocate
for the petitioner.

Mr.R.S.Thind, DAG, Punjab.

RAJ MOHAN SINGH, J.(Oral)

The case has been taken up for hearing through
video-conferencing.

This petition has been filed under Section 439 Cr.P.C.
for grant of regular bail in case bearing FIR No. dated 263
dated 10.10.2019 registered under Sections 365, 376(D), 376(2)
(N), 384 IPC and Section 6 of the POCSO Act, 2012 at Police
Station Lehra District Sangrur.

Earlier petitioner filed CRM-M No. 31746 of 2020,
which was disposed of vide order dated 12.01.2021 with the
observation that the petitioner, if so, advised may approach the

Court of Additional Sessions Judge, Sangrur afresh and in the event of doing so, the same shall be decided by the Court in accordance with law. The aforesaid order was passed in view of the fact that in the order dated 03.06.2020 passed by the Additional Sessions Judge, Sangrur, petitioner was considered to be the main accused. According to learned counsel for the petitioner, the said order was on account of misreading of FIR as the petitioner was not the main accused and Jagdeep Singh @ Jauli, son of Hargopal Singh was found to be innocent by the police and his name was placed in column No.2 of the challan. Thereafter, the petitioner filed fresh petition before the Court of Sessions at Sangrur and the same has been rejected vide order dated 04.02.2021.

As per allegations in the FIR, the victim was taken away by co-accused Gurpreet Singh @ Goldy for the first time, on 27.07.2019. Bad act was committed with her in the motor room belonging to the petitioner. Same thing was repeated by Gurpreet Singh @ Goldy on 02.08.2019. On 07.10.2019, the victim was forced to sit in a car of Jagdeep Singh @ Jauli and Jagdeep Singh son of Nazar Singh. Petitioner stood as guard at the gate of the room, where the offence was committed by Gurpreet Singh @ Goldy.

Learned State counsel, on instructions from ASI Hardeep Singh, could not dispute the aforesaid facts. However,

he opposed the bail on the ground that the petitioner was also in the knowledge of the evil design of the co-accused Gurpreet Singh @ Goldy and even then he allowed his motor room to be misused by the co-accused.

Petitioner is in custody since 16.10.2019. No PW has been examined out of 25 prosecution witnesses.

At this stage, without meaning anything on the merits of the case, it would be just and appropriate to grant regular bail to the petitioner.

In view of above, this petition is allowed. Petitioner is ordered to be released on regular bail, subject to his furnishing adequate bail bonds/surety bonds to the satisfaction of the trial Court.

Nothing expressed hereinabove would be construed to be an expression of any opinion on merits of the case.

February 25, 2021

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Whether reasoned/speaking

Whether reportable

**(RAJ MOHAN SINGH)
JUDGE**

Yes/No

Yes/No