

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH

CRM-M No.11000 of 2021 (O&M)

Date of Decision:26.08.2021

(Heard through VC)

Harpreet Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Sachin Ohri, Advocate
for the petitioner.

Ms. Rashmi Attri, AAG, Punjab.

JAISHREE THAKUR, J. (ORAL)

This is the petition that has been filed for grant of regular bail to the petitioner in FIR No.127 dated 22.09.2020 registered under Section 363, 336, 452, 506, 120-B IPC and Sections 25, 27 of the Arms Act (Sections 376, 366A, 148, 149 IPC and Section 6 of the POCSO Act added later on) at Police Station Dorangla, District Gurdaspur.

Learned counsel for the petitioner contends that the petitioner has been falsely implicated in the said FIR. It is argued that no specific role has been attributed to the petitioner and allegations are general in nature. It is also argued that the material witnesses have been examined and the prosecutrix has not supported the version of the prosecution. In fact she has turned hostile. It is further argued that co-accused has already been granted concession of regular bail by this Court vide order dated 09.08.2021 titled as *Ritik Vs. State of Punjab* passed in CRM-M No.11938 of 2021. The trial

is likely to take some time to conclude and therefore, prays for grant of regular bail to the petitioner.

Learned counsel for the respondent-State, on instructions from the Investigating Officer opposes grant of regular bail to the petitioner while pointing to the seriousness of allegations levelled against him, however, she does not dispute the fact that the prosecutrix has not supported the version of the prosecution.

I have heard learned counsel for the parties and have also perused the paper book. Keeping in view the fact that the material witness i.e. the prosecutrix has been examined, who did not support the prosecution version and the co-accused has already been allowed regular bail by this Court and the fact that the trial is likely to take some time to conclude, no useful purpose would be served in keeping the petitioner behind bars. The instant petition is allowed and the petitioner is directed to be released on regular bail on his execution of personal/surety bonds to the satisfaction of concerned trial court/Duty Magistrate. However, any observation made herein shall not be construed to be an expression on merits of the case.

August 26, 2021
Pankaj*

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No