

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

Sr. No.210

Case No. : Crl. Misc. No.M-15229 of 2021

Date of Decision : June 29, 2021

Sahildeep Singh

.... Petitioner

vs.

State of Punjab

.... Respondent

**CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL.
(Through Video Conferencing)**

Present : Mr. Parminder Singh Sekhon, Advocate
for the petitioner.

Mr. Luvinder Sofat, AAG, Punjab.

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MANJARI NEHRU KAUL, J. (Oral) :

The instant petition has been filed under Section 439 Cr.P.C. for grant of regular bail in FIR No.152 dated 19.08.2020 under Sections 363, 366-A, 376, 120-B IPC and Section 06 of POCSO Act, 2012 and Section 03 of the SC & ST Act, 1989, registered at Police Station Nihal Singh Wala, District Moga.

Learned counsel for the petitioner inter alia contends that the only role attributed to the petitioner is that he gave a ride to the victim on his motorcycle and thereafter, left her at the house of Charna on the pretext of getting his motorcycle repaired. However, it was in his absence that the co-accused Charna violated and raped the person of the victim. Learned counsel, while drawing the attention of this Court to the statement of the prosecutrix recorded under Section 164 Cr.P.C., submits that therein also, no allegation of rape has been levelled against the petitioner. It has also

has been extended the concession of bail by this Court vide order dated 05.03.2021. Learned counsel submits that the petitioner is in custody since 18.11.2020 and only charges have been framed till date. Hence, it is unlikely that the trial would conclude any time in the near future.

Per contra, learned State counsel, on instructions from ASI Rajesh Kumar, while opposing the prayer made by learned counsel for the petitioner, has not been able to controvert the factual aspect of the allegations levelled in the FIR against the petitioner.

Heard.

In view of the submissions made by learned counsel for the parties and keeping in view the fact that the petitioner is in custody since 18.11.2020, no useful purpose would be served by keeping him behind the bars as the trial is unlikely to conclude in near future, I deem it a fit case to grant the concession of regular bail.

The petition is allowed and the petitioner is admitted to bail to the satisfaction of the concerned Trial Court/Duty Magistrate. However, it is made clear that any observation made herein shall not be construed as an expression of opinion on the merits of the case.

June 29, 2021

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(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned ?	Yes/No.
Whether reportable ?	Yes/No