

212.

**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH**

CRM-M-18812-2021 (O&M)

Date of Decision: 28.10.2021

CHARANJIT SINGH @ LUCKY

.... Petitioner

Versus

STATE OF PUNJAB

.... Respondent

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Kuldeep Singh, Advocate, for the petitioner.

Mr. A.S.Gill, Senior DAG, Punjab.

JAISHREE THAKUR.J (Oral)

CRM-31515-2021

Application is allowed, as prayed for.

Annexures P-9 and P-10 are taken on record.

CRM-M-18812-2021

This is a petition that has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No.242, dated 24.11.2020, registered under Sections 363/366 of IPC (Section 376 IPC and Section 6 of the POCSO Act, 2012 added lateron) at Police Station Sujampur, District Pathankot.

Learned counsel for the petitioner would contend that the daughter of the complainant and the petitioner had sought protection from this Court by way of filing CWP No.10093 of 2020, however, being minor, the said matter was not entertained by this Court. It is argued that after the registration of the instant FIR, the daughter of the complainant has ran away again from her house and since her parents have refused to take her back,

she has been lodged at Nari Niketan as would be evident from the order passed by the court below. It is contended that the petitioner is in custody since 03.12.2020 and the material witness has been examined and therefore, he would not be in a position to influence her testimony. It is stated that FSL report is still awaited despite the lapse of almost 10 months. It is also submitted that trial in the case will take long time to conclude as only 6 witnesses have been examined out of total 25 witnesses.

On the other hand, learned State counsel would oppose the grant of regular bail to the petitioner referring to seriousness of the allegations.

After having heard learned counsel for the parties and keeping in view the fact that the material witness has been examined and the fact that trial in the case will take long time to conclude as only 6 witnesses out of total 25 witnesses cited, have been examined so far, this Court deems it appropriate to release the petitioner on regular bail.

Accordingly, the instant petition is allowed and the petitioner is directed to be released on regular bail on execution of personal bond in the sum of Rs.50,000/- with one surety of the like amount to the satisfaction of concerned trial Court/Duty Magistrate.

However, any observation made herein shall not be construed to be an expression of opinion on merits of the case.

(JAISHREE THAKUR)
JUDGE

28.10.2021

sanjeev

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No