

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

CRM-M No.24085 of 2021 (O&M)

Date of Decision:01.07.2021

(Heard through VC)

Sandeep Singh

...Petitioner

Versus

State of Punjab and another

...Respondents

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Dinesh Nagar, Advocate
for the petitioner.

Ms. Rashmi Attri, AAG, Punjab.

JAISHREE THAKUR, J. (ORAL)

This is a petition that has been filed for grant of regular bail to the petitioners in FIR No.110 dated 26.11.2020 registered under Sections 363, 366A IPC (Section 376 IPC and Section of the POCSO Act added later on) at Police Station Balachaur, SBS Nagar (Nawanshahr).

Learned counsel for the petitioner herein would contend that the petitioner has been implicated falsely in the said FIR, as is evident from the fact that in the statement of the prosecutrix recorded before the trial court as PW2, she did not support the prosecution version. Moreover, there is no medical of the prosecutrix available to substantiate the allegations levelled in the aforesaid FIR. The investigation has been completed and the challan stands presented, therefore, custody of the petitioner would no longer be required.

Learned counsel for the respondent-State opposes grant of bail to the petitioner by contending that the allegations levelled against him are

serious in nature, however, she does not dispute the fact that material witness has turned hostile.

I have heard learned counsel for the parties. Keeping in view the fact that the material witness has been examined, who did not support the prosecution version and the fact that the trial is likely to take some time to conclude owing to present COVID-19 pandemic situation, 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 execution of adequate personal/surety bond 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.

July 01, 2021
Pankaj*

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No