

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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CRM-M-24228-2021

DATE OF DECISION: 01.07.2021

KHAJAN SINGH

... Petitioner(s)

Versus

STATE OF PUNJAB

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. Karanjeet Singh Brar, Advocate for the petitioner.

Mr. Amit Mehta, Senior DAG, Punjab.

ANUPINDER SINGH GREWAL, J. (ORAL)

Heard through video conferencing.

The petitioner is seeking regular bail in FIR No.23 dated 10.02.2021, under Sections 363, 366A, 376-D (A) IPC and Section 6 of the POCSO Act, 2012 (Section 120-B IPC added later on), registered at Police Station Sadar Sri Muktsar Sahib, District Sri Muktsar Sahib.

Learned counsel for the petitioner contends that it is alleged in the FIR that the prosecutrix was enticed by the co-accused Jagjit Singh and on the pretext of marriage, he committed rape. The allegations against the petitioner are that he had kept the prosecutrix in his house and when she tried to run away, they threatened her. He, however, contends that it is mentioned in the FIR itself that when the father of the prosecutrix along with other relatives had reached the village then the petitioner had taken her to the house of the Pardhan Balbir Kaur. He further contends that the petitioner has been involved as the son of the petitioner is friend of the co-accused Jagjit Singh. The petitioner is 60 year of age and is not involved in any other criminal case. He is in custody for a period of 3 months and 23 days.

Learned State counsel, upon instructions from SI Jaspreet Singh, contends that charges have been framed but no prosecution witness has been examined.

Heard.

In view of the above, especially when the petitioner is 60 year of age, he is not involved in any other criminal case, he is in custody for over 3 months, the COVID-19 pandemic and the conclusion of the trial is likely to take some time, I deem it a fit case to grant the concession of regular bail to the petitioner.

Therefore, without expressing any opinion on the merits of the case, the instant petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing requisite bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

(ANUPINDER SINGH GREWAL)
JUDGE

01.07.2021

SwarnjitS

Whether speaking/reasoned	:	Yes / No
Whether reportable	:	Yes / No