

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

CRM-M No.24385 of 2021 (O&M)

Date of Decision:05.07.2021

(Heard through VC)

Satwinder Singh @ Gippi

...Petitioner

Versus

State of Punjab

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Ramneek Vasudeva, Advocate
for the petitioner.

Mr. Saurav Khurana, DAG, Punjab.

JAISHREE THAKUR, J. (ORAL)

This is a petition that has been filed for grant of regular bail to the petitioners in FIR No.191 dated 26.10.2018 registered under Sections 376, 384, 365, 506 and 120-B IPC at Police Station Punjab Agriculture University (PAU), District Police Commissionerate, Ludhiana.

Learned counsel for the petitioner herein would contend that the petitioner has been implicated falsely in the said FIR. It is argued that the main allegation in the FIR for committing rape is against one Lakhwinder Singh @ Lakha and not against the petitioner herein. It is also submitted that the matter has been investigated and the challan stands presented, apart from statement of the prosecutrix having been recorded, therefore, custody of the petitioner would no longer be required. It is also argued that a bare reading of statement of the prosecutrix does not reflect anywhere that the petitioner herein had committed offence under Section 376 IPC, rather the said allegation has specifically been levelled against

Lakhwinder Singh.

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, he does not dispute the fact that the investigation has been completed and the challan stands presented.

I have heard learned counsel for the parties. Keeping in view the fact that the investigation has been completed and the challan stands presented and the material witness has also been examined 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 05, 2021
Pankaj*

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No