

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

208)

CRM-M-24516 of 2020

Date of Decision: 11.01.2021

Ranjit Singh alias Sandeep

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present:- Mr. Ranjeet Kumar Jaswal, Advocate, for the petitioner.
Mr. Ramdeep Partap Singh, DAG, Punjab

Amol Rattan Singh, J. (Oral)

Case heard by video conferencing.

By this petition, filed under the provisions of Section 439 of the Cr.P.C., the petitioner seeks the concession of 'regular bail', upon FIR no.187, dated 04.08.2019, having been registered at Police Station Patran, District Patiala, alleging therein the commission of offences punishable under Sections 363, 366A of the IPC, with Section 376 thereof and Section 8 of the Prevention of Children from Sexual Offences Act, 2012 added subsequently.

Though learned counsel for the petitioner wishes to point to some ossification test to submit that the alleged victim was allegedly 17 to 19 years old, however, as per the reply filed on behalf of the State, her date of birth as per her school record is 10.11.2001, thereby making her 14 years and 9 months of age as on the date of the occurrence.

Learned counsel further submits that even as per her statement before the learned Magistrate under the provisions of Section 164 of the Cr.P.C., the prosecutrix stated that she had gone with the petitioner wholly willingly and that she wants to marry him.

He next submits that he has been in custody since 11.08.2019, i.e. for about 1 year and 5 months as of today, with the trial not having progressed much due to the pandemic.

Upon query to the learned State counsel, while opposing the bail application on the ground that the prosecutrix was obviously a minor girl with the petitioner being 21 years of age, as regards the stage of the trial and the period of custody, he does not deny the same; and on further query, he submits that as per his instructions received from ASI Jaswinder Singh, there is no other criminal case registered against the petitioner.

That being so, without making any comments on the merits of the case, whatsoever, the present petition is allowed, with the petitioner ordered to be enlarged on bail, upon his furnishing adequate bail and surety bonds to the satisfaction of the learned trial Court/CJM/Duty Magistrate concerned.

11.01.2021
vcgarg

(AMOL RATTAN SINGH)
JUDGE

Whether reasoned/speaking: Yes
Whether reportable: No