

In virtual Court

CRM-M-30358-2020

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-30358-2020 (O&M)

Date of decision: 11.01.2021

Lakhvir Singh @ Lucky Tent Wala Narangwal

... Petitioner

Vs.

State of Punjab and another

... Respondents

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Ishan Gupta, Advocate
for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

Mr. Aman Dhir, Advocate
for respondent No.2-complainant.

ARVIND SINGH SANGWAN, J. (ORAL)

CRM-562-2021

For the reasons stated in the application, same is allowed and affidavit of respondent No.2 (minor) through her real sister dated 08.01.2021 is taken on record.

CRM stands disposed of.

CRM-M-30358-2020

Prayer in this petition is for grant of regular bail in FIR No.34 dated 30.05.2020 under Sections 363, 366, 376 IPC and Section 6 of POCSO Act, registered at Police Station Jodhan, Ludhiana Rural.

Learned counsel for the petitioner submits that the FIR was registered on the statement of victim that when she had gone to purchase vegetables, the petitioner came in a car and made her to sit in the car against her wishes and at a lonely place, he stopped the car and opened the string of her salwar and put his finger in the private part and then forced her to put his penis in the mouth. It is further submitted that in fact, no such incident took place and before the Punjab Human Rights Commission, the victim has given an affidavit that no such statement was given by her and has prayed for cancelling the aforesaid FIR. Learned counsel has relied upon the said application, supported by an affidavit (Annexure P-2).

Learned counsel for respondent No.2-complainant/victim has again filed an affidavit of the victim through her sister Karamjit Kaur, to support that she has approached the Punjab Human Rights Commissioner by way of filing application dated 27.07.2020 for cancellation of the case.

Learned State counsel also could not dispute the factual position.

After hearing learned counsel for the parties, without commenting upon merits of the case and considering the aforesaid facts, this petition is allowed and the petitioner is directed to be released on regular bail subject to furnishing his bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Illaq Magistrate, concerned.

Petition is disposed of.

[ARVIND SINGH SANGWAN]
JUDGE

11.01.2021
vishnu

Whether speaking/reasoned : Yes/No
Whether Reportable : Yes/No