

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

CRM-M No.36405 of 2021

Date of Decision:08.09.2021

(Heard through VC)

Inderjit Singh @ Samar

...Petitioner

Versus

State of Punjab and another

...Respondents

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Jasjeet S. Dhaliwal, Advocate
for the petitioner.

Ms. Rashmi Attri, AAG, Punjab.

Mr. Jaiteshwar Singh, Advocate
for the respondent No.2-complainant.

JAISHREE THAKUR, J. (ORAL)

This petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No.240 dated 24.06.2021 under Sections 376 IPC and Section 6 of the POCSO Act registered at Police Station Sohana, District SAS Nagar.

Counsel for the petitioner prays for grant of regular bail to the petitioner on the ground that a compromise has been arrived at between the parties wherein the prosecutrix has stated that she does not want to proceed with the matter.

At this stage, appearance has been caused on behalf of the complainant by Mr. Jaiteshwar Singh, Advocate admits to the factum of compromise. Even the prosecutrix is present in person through the video conferencing from the chamber of her counsel and would submit that she

has no objection in case the petitioner is released on bail.

Learned counsel appearing on behalf of the respondent-State vehemently opposes grant of bail to the petitioner by contending that the petitioner herein is the fiancée of elder sister of the prosecutrix, who is alleged to have violated the victim. She further argued that the challan has been presented as on yesterday and in fact, DNA report is yet to be made available and moreover, without statement of the prosecutrix being recorded, bail ought not to be allowed to the petitioner at the present moment.

Faced with this situation, counsel for the petitioner herein seeks to withdraw the instant petition with liberty to approach the Court again after recording of the statement of the prosecutrix and further prays for recording of the statement of the prosecutrix expeditiously.

Ordered accordingly. Let an endeavour be made by the trial Court to have statement of the prosecutrix recorded at the first instance.

September 08, 2021
P.Bhatt

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned Yes/No

Whether reportable Yes/No