

CRM-M-37641-2021

Date of Decision: 15.9.2021

Birbal Singh alias Balla

..... Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Lakhvinder Singh Dandiwal, Advocate,
for the petitioner.
Mr. M.S. Nagra, Assistant Advocate General, Punjab.

Rajesh Bhardwaj, J. (ORAL)

Matter has been taken up through video conferencing via Webex facility in the light of the Pandemic Covid-19 situation and as per instructions.

Present petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in FIR No.85 dated 11.7.2021 under Sections 354-A, 451 IPC and Section 8 of POCSO Act, 2012 registered at Police Station Boha, District Mansa.

Learned counsel for the petitioner contends that the petitioner has been falsely implicated in the present FIR and the only allegations against him is that he caught hand of the daughter of the complainant, who is 16 years of age. He contends that the petitioner is a young boy of 21 years of age and has no antecedents of the like nature. He submits that the petitioner is behind bars since 11.7.2021 and deserves to be granted bail.

On the other hand, learned State counsel submits that the investigation is complete and challan has been presented. Now the case is fixed for framing of charges.

I have heard learned counsel for the parties and perused the record.

In the overall facts and circumstances of the case, I find that the learned counsel petitioner has made out a case for grant for regular bail. Accordingly, the present petition is allowed and the petitioner is ordered to be released on bail to the satisfaction of the concerned trial Court/Duty Magistrate. Nothing said herein shall be treated as an expression of opinion on the merits of the case.

(RAJESH BHARDWAJ)
JUDGE

15.9.2021
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Whether Speaking/Reasoned	:	Yes/No
Whether Reportable	:	Yes/No