

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM No. M-39926 of 2020 (O&M)
Date of decision : September 03, 2021

Manpreet Singh

....Petitioner

versus

State of Punjab

....Respondent

Coram: Hon'ble Mr. Justice Fateh Deep Singh

Present : Mr. Amit Kumar Saini, Advocate, for the petitioner
Mr. Sidakmeet Singh Sandhu, AAG, Punjab

Fateh Deep Singh, J. (Oral)

The matter has been taken up through Video-conferencing on account of outbreak of pandemic COVID-19.

Accused Manpreet Singh who is an accused in case FIR No. 57 dated 28.3.2017 under Sections 376-D, 120-B IPC, Police Station C-Division, Amritsar was allowed anticipatory bail vide orders dated 3.12.2018 by this Court. Subsequently with the addition of offence under Section 6 of the POCSO Act, 2012, faced with the likelihood of being arrested again has come up in this supplementary bail application.

Upon hearing counsel for the petitioner and the State counsel and on perusal of the records, admittedly the date of birth as per certificate relied upon by the petitioner side, the prosecutrix was born on 26.11.1999. The allegations as per the prosecution are alleged to have taken place on 25.6.2016. The prosecutrix herself appeared before this Court and submitted her affidavit and made statement that she has no objection if the bail is allowed to the petitioner.

Keeping in view this stand of the prosecutrix before this Court and the fact that at the time of the alleged offence, she was major and having been allowed anticipatory bail application earlier, sending the petitioner behind the bars at this juncture would be traversing justice.

In view of the aforesaid, the present petition is allowed. In the event of arrest, the petitioner shall be released on bail to the satisfaction of arresting/investigating officer till submission of report under section 173 Cr.P.C. (challan). The petitioner shall, however, join the investigation as and when called for and shall also abide by the conditions specified under section 438 (2) Cr.P.C. Thereafter, on presentation of challan, the petitioner will be permitted to furnish regular bail bonds to the satisfaction of the trial Court. Presently, the

petitioner is directed to join investigation within 15 days of the receipt of the copy of order.

The present petition stands disposed of.

September 03, 2021

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(Fateh Deep Singh)
Judge

Whether speaking/reasoned ?

Yes/No

Whether Reportable ?

Yes/No