

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

CRM-M No.40491 of 2020 (O&M)
Date of Decision.19.03.2021
(Heard through VC)

Avtar Singh @ Manni

...Petitioner

Vs

State of Punjab

...Respondent

CORAM:HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: Mr. Rahul Sharma, Advocate
for the petitioner.

Ms. Samina Dhir, DAG, Punjab.

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JAISHREE THAKUR J. (ORAL)

CRM No.6817 of 2021

Application is allowed.

Annexures A-1 and A-2 are taken on record.

CRM-M No.40491 of 2020

The instant petition has been filed under Section 439 Cr.P.C.
for grant of regular bail to the petitioner in case FIR No.225 dated
22.06.2020 registered under Section 376 IPC and Section 4 of the POCSO
Act at Police Station Sadar Dhuri, District Sangrur.

Counsel for the petitioner herein would contend that the
petitioner has wrongly been implicated in the said matter, as would be
evident from the fact that the prosecutrix, who was examined on 10.02.2021
has not supported the prosecution version. It is further contended that once
the material witness has already been examined, the petitioner would not be
in a position to influence the said witness. The trial is likely to take some

time to conclude and therefore, prays for concession of bail to the petitioner.

Counsel for the respondent-State opposes grant of bail to the petitioner while contending that the offence committed is serious and grave in nature.

I have heard learned counsel for the parties.

Keeping in view the fact that the material witnesses has been examined, who did not support the case of the prosecution and the trial is likely to take some time to conclude, no useful purpose would be served by keeping the petitioner behind bars. The instant petition is allowed and the petitioner is directed to be released on regular bail on execution of adequate personal/surety bond to the satisfaction of concerned trial Court/Duty Magistrate. However, any observation made herein shall not be construed to be an expression on merits of the case.

(JAISHREE THAKUR)
JUDGE

March 19, 2021

Pankaj*

Whether speaking/reasoned Yes/No

Whether reportable Yes/No