

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M-43744 of 2020
Date of Decision: 06.01.2021

Sajan Kumar alias Sajjan

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: Mr. Vishavjeet Singh Rishi, Advocate,
for the petitioner.

Mr. Sandeep Kumar, DAG, Punjab.

AMOL RATTAN SINGH, J. (ORAL)

Case heard by video conferencing.

By this petition, the petitioner seeks the concession of 'regular bail' under the provisions of Section 439 of the Cr.P.C., upon FIR no.003, dated 06.01.2019, having been registered at Police Station Jamalpur, District Ludhiana, alleging therein the commission of offences punishable under Sections 363, 366-A, 376 and 506 of the IPC as also Section 4 of the Prevention of Children from Sexual Offences Act, 2012, with Sections 343, 366 and 120-B of the IPC, as also Section 17 of the Prevention of Children from Sexual Offences Act, 2012 (added later).

Learned counsel for the petitioner submits that in fact initially the age of the prosecutrix was given to be above 17 years and she had willingly

accompanied the petitioner who is 24 years of age, but thereafter she turned around and made a complaint against him upon her family members having found her and the petitioner at village Bunga Sahib.

He further submits that the petitioner has been in custody for about 2 years now, with the prosecutrix also having been examined but with 12 prosecution witnesses still remaining to be examined.

Upon query to learned State counsel, he submits that as per his information, there is no other criminal case registered against the petitioner.

That being so, with the prosecutrix also having been examined, looking at the period of custody of the petitioner and the fact that there is no other criminal case registered against him, without making any comment on the actual merits of the case, the petition is allowed, with the petitioner ordered to be admitted to bail to the satisfaction of the trial court/CJM/Duty Magistrate concerned.

January 06, 2021
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(AMOL RATTAN SINGH)
JUDGE

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No