

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

Sr. No.214

Case No. : Crl. Misc. No.M-13928 of 2021

Date of Decision : January 06, 2022

Sanju		Petitioner
vs.		
State of Punjab		Respondent

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL.
(Through Video Conferencing)

Present : Mr. S. K. Choudhary, Advocate
for the petitioner.

Mr. Luvinder Sofat, AAG, Punjab.

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MANJARI NEHRU KAUL, J. (Oral) :

The instant petition has been filed under Section 439 Cr.P.C. for grant of regular bail in FIR No.140 dated 01.11.2017, under Sections 376, 511, 506 IPC and Section 6 read with Section 18 of the POCSO Act, 2012, registered at Police Station Division No.II, District Pathankot.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case in hand and only 4 out of the 15 prosecution witnesses cited, have been examined so far. Hence, he be extended the concession of bail, as there is no likelihood of the trial concluding in the near future.

Per contra, learned State counsel, while opposing the submissions made by the counsel opposite, has submitted on instructions that the petitioner was involved in a heinous crime for sexually assaulting and violating the person of the victim, aged just 8½ years. Learned State counsel further submits that the medical evidence collected by the

investigating agency fully corroborated the case of the prosecution with respect to the sexual assault carried upon the victim. Learned State counsel has also submitted that both the victim as well as her mother i.e. the complainant, while stepping into the witness box during the trial, had supported the case of the prosecution in its entirety.

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

Prima facie, there are serious and specific allegations levelled against the petitioner of having violated the person of a 8½ years old girl, for which he does not deserve the concession of bail.

Dismissed.

At this stage, a request has been made by learned counsel for the petitioner for directions to the trial court to expedite the trial in the wake of his long incarceration as he has been in custody since 02.11.2017.

The trial court shall endeavour to expedite the trial and conclude the same expeditiously preferably within six months.

Nothing observed herein above shall be construed to be an expression of opinion on the merits of the case.

January 06, 2022

(MANJARI NEHRU KAUL)
JUDGE

monika

Whether speaking/reasoned ?	Yes/No.
Whether reportable ?	Yes/No