

**204 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH****CRM-M-24680-2022
Decided on 09.12.2022.****Lakhwinder Singh @ Lakhan****...Petitioner****Versus****State of Punjab****..... Respondent****CORAM: HON'BLE MR. JUSTICE VIKRAM AGGARWAL****Present: Ms. Nupur Sood, Advocate
for the petitioner.****Mr. Karunesh Kaushal, A.A.G., Punjab.*************VIKRAM AGGARWAL, J.**

Prayer in this petition is for grant of regular bail in case FIR No.280 dated 10.09.2020 (Annexure P-1), under Sections 376-D of the Indian Penal Code, 1860, Section 6 of Protection of Children from Sexual Offences Act, 2012 and Section 67-B of the Information Technology Act, 2000, registered at Police Station Tripri Patiala, District Patiala.

The allegation against the petitioner is that he along with three other persons coaxed the prosecutrix aged 17 years at the relevant time to the house of Co-accused-Nanak Singh. There Nanak Singh bolted the main door of his house from outside. Then Rajan and Lakhan Singh (present petitioner) forcibly removed her clothes and Vicky committed rape upon her. The present petitioner and Rajan are also alleged to have attempt to commit rape upon the prosecutrix.

At the outset, learned counsel for the petitioner has submitted that the main accused-Amarjeet Singh @ Vicky has been granted regular bail by this Court vide order dated 10.11.2022 passed in CRM-M-41479 of 2022. She further submits that out of a total of 04 accused, 02 are now on bail. She submits that

time and, therefore, no useful purpose would be served by keeping the petitioner in custody any longer.

On the other hand learned State counsel has opposed the bail application stating that the petitioner is alleged to have video-graphed the incident and also tried to commit rape upon the prosecutrix.

Admittedly, the main accused-Amarjeet Singh @ Vicky, who is alleged to have committed the act has been released on bail by this Court vide order dated 10.11.2022 passed in CRM-M-41479 of 2022. He was in custody since 11.09.2020. Co-accused-Nanak Singh has also been granted bail by this Court vide order dated 12.05.2022 passed in CRM-M-6016 of 2022 (Annexure P-5). The petitioner is in custody since 22.10.2020. Trial will still take a sufficiently long time. Considering the fact that two co-accused which includes the main accused have already been granted the concession of regular bail by this Court, I do not find any reason to decline the same relief to the petitioner.

Without expressing any opinion on the merits of the case and keeping in view the fact that conclusion of the trial will take a considerably long time, the present petition is allowed. Petitioner-Lakhwinder Singh, is ordered to be released on regular bail on furnishing bail bond and surety bond to the satisfaction of concerned trial Court/Chief Judicial Magistrate/Duty Magistrate, Patiala.

09.12.2022

rekha sharma

**(VIKRAM AGGARWAL)
JUDGE**

Whether speaking/reasoned : *Yes/No.*
Whether reportable : *Yes/No.*