

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

Sr. No.221

CRM-M-25698-2022

Date of decision: 29.08.2022

Harman Singh

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr. Shrey Goel, Advocate,
for the petitioner.

Mr. M.S. Nagra, AAG, Punjab.

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DEEPAK SIBAL, J. (Oral)

The present petition has been filed under Section 439 Cr.P.C. for the grant of regular bail in FIR No.0090 dated 26.05.2021 registered under Sections 376, 363 and 366-A IPC and Section 6 of the Protection of Children from Sexual Offences Act, 2012 at Police Station Machhiwara, District Khanna.

The petitioner is being prosecuted for having kidnapped and raped a minor girl.

Learned counsel for the petitioner contends that the petitioner has been falsely implicated in this case; the petitioner has no other criminal antecedents; the petitioner is in custody since 07.06.2021; all material witnesses of the prosecution stand examined in the petitioner's trial; the prosecutrix while appearing before the Trial Court has absolved the petitioner from all the accusations that he faces and that in view of the afore submissions further incarceration of the petitioner is unnecessary.

Learned State counsel opposes the grant of bail to the petitioner on the ground that the petitioner has kidnapped and raped a minor girl.

The petitioner is in custody since 07.06.2021; he has no other criminal antecedents; all material witnesses of the prosecution stand examined in the petitioner's trial and that the prosecutrix while appearing before the Trial Court has absolved the petitioner from all the accusations.

Keeping in view the totality of the above facts, the present case is considered to be a fit one in which the petitioner be directed to be released on regular bail. Resultantly, subject to the satisfaction of the CJM/Duty Magistrate, Ludhiana, the petitioner is directed to be released on bail.

It is clarified that the above observations have been made only for the limited purpose of deciding the present regular bail application and the same would not be construed to be an expression of opinion on the merits of the case.

August 29, 2022
Jyoti 1

(DEEPAK SIBAL)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No