

BALWANT SINGH

... PETITIONER

V/S

STATE OF PUNJAB

... RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Mr. Dilraj Singh Bhinder, Advocate for the petitioner.

Ms. Ruchika Sabherwal, DAG Punjab.

* * *

VIVEK PURI, J. (ORAL)

The petitioner is seeking regular bail in case bearing FIR No. 34 dated 29.03.2022 under Section 354-A IPC and Sections 7 & 8 of Protection of Children from Sexual Offences Act, registered at Police Station Sadar Kotkapura, District Faridkot.

Custody certificate has been taken on record.

Briefly, as per the allegations in the FIR, the petitioner had inappropriately touched the victim, who is aged about 13 years.

Learned counsel for the petitioner contends that the petitioner is in custody for a period of 7 months and 26 days and not involved in any other case. The statement of the victim has also been recorded during the course of trial.

Learned State counsel has opposed the bail application on the score that the victim was aged about 13 years at the time of occurrence.

Be that as it may, the petitioner is in custody for a period of 7 months and 26 days and not involved in any other case. The statement of

the victim during the course of trial has been recorded. As such, it cannot be said that the petitioner can, in any manner, win over or influence the victim. The conclusion of trial is likely to take some more time and no fruitful purpose would be served by detaining the petitioner in further custody.

As such, sufficient mitigating circumstances are made out to extend the concession of bail to the petitioner. Therefore, without making any expression of opinion on the merits of the case, it is ordered that the petitioner be released on regular bail subject to his furnishing fresh bail bonds/surety bonds to the satisfaction of the concerned trial Court/Chief Judicial Magistrate/Duty Magistrate.

The petition is allowed.

14.12.2022

Janki

**(VIVEK PURI)
JUDGE**

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