

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Sr. No. 225

CRM-M-36708-2022

Date of decision : 25.08.2022

Ajit Singh @ Jugnu

..... Petitioner

VERSUS

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr.A.S.Dhindsa, Advocate, for the petitioner.

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

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.155 dated 28.10.2021 registered under Sections 363 and 366-A IPC (Sections 376, 343, 346, 506 and 120-B IPC and Sections 3 and 4 of the Protection of Children from Sexual Offences Act, 2012 added later on) at Police Station Jaito, District Faridkot.

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

Learned counsel for the petitioner contends that the petitioner, who is a 22 year old boy, has no other criminal antecedents; he has been falsely implicated in this case; the complainant (the alleged victim's father), the alleged victim and the alleged victim's mother while appearing before the Trial Court as PW-1, PW-2 and PW-3 respectively, have categorically stated that it was not the petitioner who had committed the offences he is accused of; rather, the alleged victim has refused to even identify the petitioner and that since 33 prosecution witnesses still remain to be examined in the petitioner's trial, the same is likely to take a long time to conclude.

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

The complainant i.e. the alleged victim's father, the alleged victim and the alleged victim's mother while appearing before the Trial Court as PW-1 to PW-3 respectively, have stated before the Trial Court that it was not the petitioner who had committed the offences he is accused of and that in fact, the alleged victim has not even recognised the petitioner.

In the light of the above development and because the petitioner has no other criminal antecedents as also that since 33 prosecution witnesses still remain to be examined in the petitioner's trial, the same is likely to take a long time to conclude, 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 concerned CJM/Duty Magistrate, 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.

25.08.2022
shamsher

[DEEPAK SIBAL]
JUDGE

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