

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

CRM-M-43429-2022 (O&M)

Date of decision: 23.09.2022

Kamal Singh

...Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Vikramjeet Singh, Advocate for the petitioner.

Mr. I.P.S. Sabharwal, DAG Punjab.

HARNARESH SINGH GILL, J. (ORAL)

The petitioner has filed this 4th petition under Section 439 of Cr.P.C. for grant of regular bail in case FIR No. 63 dated 27.04.2020, registered under Sections 363, 366-A IPC and later on added Section 376 IPC and Sections 3, 4 of the POCSO Act, at Police Station Sadar Sri Muktsar Sahib, District Sri Muktsar Sahib. Earlier three bail petitions filed by the petitioner have already been dismissed as withdrawn.

Learned counsel for the petitioner that the FIR was registered on the statement of Pappu Singh after a delay of 09 days against unknown person; that the petitioner has falsely been implicated in the present case on the basis of suspicion that no offence under Sections 363, 366-A IPC are made out against the petitioner and even there is no allegation of conspiracy against the petitioner and that the petitioner has been in custody since 27.04.2020.

Learned counsel for the petitioner further submits that the challan stands presented, the charges have also been framed and the prosecution witnesses are yet to be examined and the trial is going on at a snail's pace. In such circumstances, conclusion of the trial would take a long time. Moreover, the petitioner is not involved in any other case.

On the other hand, learned State counsel while controverting the submissions made by the learned counsel for the petitioner, has pointed out that earlier three bail petitions filed by the petitioner were dismissed as withdrawn on 06.10.2020, 25.03.2021 and 05.04.2022 and there being no change in circumstance, the petitioner is not entitled to the concession of regular bail.

I have heard the learned counsel for the parties and have also gone through the paper-book.

While dismissing the earlier bail petition, filed by the petitioner, this Court took into consideration the pleas taken by the petitioner. It could not be shown that the pleas raised in the present petition for bail, were not considered by this Court while dealing with the earlier bail petition.

In view of the above, finding no merit in the petition, same is hereby dismissed.

Nothing stated hereinabove shall be construed as an expression of opinion on the merits of the case before the trial Court.

(HARNARESH SINGH GILL)
JUDGE

23.09.2022
Mangal Singh

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No