

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

(Heard through VC)

CRM No.43967 of 2021 and
CRM No.1669 of 2022 in/and
CRM-M-53495 of 2021 (O&M)
Date of Decision: January 28, 2022

Ajit Gupta

...Petitioner

Versus

State of U.T., Chandigarh and others

...Respondents

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Subhash Kumar, Advocate
for the petitioner.

Mr. Y.S. Rathore, APP, U.T., Chandigarh.

Mr. Ravi Dangi, Advocate
for respondents No.2 and 3.

JAISHREE THAKUR, J. (Oral)

CRM-43967-2021

Allowed as prayed for, subject to all just exceptions.

CRM-1669-2022

Allowed as prayed for.

Amended memo of parties is taken on record.

CRM-M-53495-2021

This is a petition that has been filed for grant of regular bail to
the petitioner, who has been in custody for the past three years.

It is submitted by counsel for the petitioner that parents of the

minor have accepted the relationship and the girl will solemnize marriage with the petitioner herein. It is further argued that the matter stands compromised and, therefore, no useful purpose would be served in keeping the petitioner behind bars.

Learned counsel appearing on behalf of the respondent-State would submit that the FIR came to be registered under the POCSO Act against the petitioner herein, who was a tutor. It is argued that there is enough evidence available to convict the petitioner of the offences, in which he is in custody, as the prosecutrix has been examined and she has supported her case. It is only now that a compromise has come forth. It is argued that the matter has been concluded and ripe for final disposal. It is also pointed out that the prosecutrix is a minor, therefore, could not have entered into any compromise.

On the other hand, counsel appearing on behalf of respondents No.2 and 3 supports the compromise and prays for grant of regular bail to the petitioner.

I have heard learned counsel for the parties and in view of the allegations as set out in the FIR, the petitioner herein was a tutor of the minor girl and that she has supported her case before the trial court, as such, this court deem it appropriate not to allow regular bail to the petitioner, as the case at its fag end, since all the material witnesses have been examined. Consequently, the instant petition is hereby dismissed, with a direction to the trial court to expedite the trial and conclude the same as expeditiously as possible.

Needless to say, the petitioner is always at liberty to take

whatever pleas available to him before the trial court.

January 28, 2022
vijay saini

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No