

2023:PHHC:111047

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

210

CRM-M No.7276 of 2023

Date of Decision: 24.08.2023

Jagtar Singh @ Tari

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: *HON'BLE MRS. JUSTICE MEENAKSHI I. MEHTA*

Present:- Mr. Parminder Singh Sekhon, Advocate
for the petitioner.

Mr. Iqbal Singh Mann, DAG, Punjab
for the respondent-State.

MEENAKSHI I. MEHTA, J. (Oral)

The petitioner herein has sought the relief of regular bail in the criminal case arisen out of the FIR bearing No.85 dated 11.05.2021 registered at Police Station Bhawanigarh, District Sangrur, under Sections 363, 354 & 354-B IPC and Section 12 of the POCSO Act, with the allegations that he, along-with his co-accused Paramjit Singh @ Kalu, forcibly took the victim to the house of his above-named co-accused and they tore her (victim's) shirt and on her raising an alarm, her uncle Bikkar Singh came to the spot and saved her from the clutches of the petitioner and his said co-accused.

2. Learned State counsel has submitted the Custody-certificate of the petitioner in the Court today and the same is taken on the record.

3. I have heard learned counsel for the petitioner as well as learned State counsel in the instant petition and have also perused the file carefully.

4. Learned counsel for the petitioner contends that the petitioner is behind the bars since the day of his arrest, i.e 21.12.2021 and the Challan has already been presented and the Charges have been framed and even the testimonies of the victim and her father have also been recorded by the trial Court and moreover, the petitioner is not involved in any other criminal case of the similar nature and in these circumstances, he deserves the relief as prayed for in the present petition.

5. Learned State counsel does not dispute the afore-referred factual position but he opposed the prayer of the petitioner for grant of the regular bail.

6. However, keeping in view the above-discussed undisputed facts and circumstances as well as the facts that the trial of the case is likely to take sufficient time to conclude and no useful purpose would be served by detaining the petitioner in judicial custody any more and without commenting or expressing any opinion on the merits of the case, the petitioner named Jagtar Singh @ Tari is hereby ordered to be released on regular bail subject to his furnishing the requisite personal and surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

7. The petition in hand stands allowed accordingly.

24.08.2023
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(MEENAKSHI I. MEHTA)
JUDGE

Whether speaking/reasoned:
Whether Reportable:

Yes
No