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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-24259-2022

Date of Decision:- 25.04.2023

Harmeet Singh

...Petitioner

Vs.

State of Punjab

...Respondent

CORAM:-HON'BLE MS. JUSTICE AMARJOT BHATTI

Present:- Mr. Naveen Batra, Advocate
for the petitioner.

Mr. M.S.Joshi, Addl. A.G. Punjab.

AMARJOT BHATTI, J. (Oral)

The petitioner – Harmeet Singh has filed the instant petition under Section 439 Cr.P.C. for grant of regular bail in FIR No. 24 dated 22.03.2022, registered under Section 354 of IPC, Section 10 of Protection of Children from Sexual Offences Act (Amended) 2012, 2019 and Section 3 & 4 of Scheduled Caste and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 (added subsequently) at Police Station Nangal, District Rupnagar.

The facts of the case are that the complainant gave her statement to the police that she is 17 years old and belonged to Scheduled Caste community. Her elder sister is aged about 19 years. She is working with Common Service Centre along with her sister. Both of them go by cycle along with Maninder Singh to different villages to prepare the cards. On

21.03.2022, they were to visit villages of Anandpur Sahib. At about 09:15 A.M. they parked their cycles at Bela Ramgarh near Chungian where one person namely Harmeet Singh came on his motorcycle and stopped in front of them. They objected the conduct of said boy. The said boy parked his motorcycle and caught hold of her wrist and tried to drag her in the adjoining garden. She tried to rescue herself. Her sister also helped her. He also caught hold of her sister from her waist. Both of them raised noise. She fell down. In the meantime, Maninder Singh came there and helped her. The said boy had a scuffle with Maninder Singh also. With these allegations, present FIR has been registered.

Learned counsel for the petitioner argued that he is falsely implicated in this case. In fact, he was arrested in this case on 22.03.2022 and since then, he is behind the bars. The statements of all the material witnesses have been recorded. He will abide by the terms of bail order. Therefore, his regular bail application may be allowed.

Bail application is opposed by learned counsel representing the State on the ground that the victim involved in this case is a minor. The present petitioner is specifically named. Considering the gravity of offence, he is not entitled to the concession of regular bail.

I have considered the arguments and have gone through the record. The learned counsel for the petitioner has placed on record the attested copies of the statements of victim recorded as PW1, statement of her sister recorded as PW2 and statement of another witness Mamta Devi recorded as PW-3. All the material witnesses have already been recorded. There is no question of the petitioner influencing the witnesses. Trial of this case may take some time. He cannot be kept behind the bars for indefinite time period. Therefore, the regular bail application filed by the

petitioner – Harmeet Singh is allowed. He is ordered to be released on bail to the satisfaction of trial Court/Duty Judge concerned.

The petition is accordingly, accepted.

25.04.2023
lalit

(AMARJOT BHATTI)
JUDGE

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