

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

CRM-M-25858-2023 (O&M)

Date of Decision: 15.09.2023

SATNAM SINGH

...Petitioner

V/S

STATE OF PUNJAB

...Respondent

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Mr. Jagjot Singh, Advocate for the petitioner.

Ms. Ruchika Sabherwal, DAG Punjab.

VIVEK PURI J. (Oral)

1. The petitioner is seeking regular bail in the case bearing FIR No. 43 dated 05.03.2023 under Sections 354, 354-A of Indian Penal Code, Sections 10, 12 of POCSO Act registered at Police Station City Sunam, District Sangrur.

2. Custody certificate filed and the same is taken on record.

3. Learned counsel for the petitioner contends that petitioner is working as a Carpenter and was engaged in the repair work in the house of the complainant. The allegations are to be effect that petitioner has inappropriately touched and shown porn video to the 09 years old daughter of the complainant. The petitioner has been falsely implicated in the instant case on account of dispute with regard to some wages. The petitioner is in custody for a period of 06 months and 10 days and the statement of the victim during the course of trial has been recorded.

4. Learned State counsel has opposed the bail application on the score that the victim was aged about 09 years at the time of occurrence and out of 15 prosecution witnesses, 05 have been examined so far.

5. It is significant to note that the statement of the victim during the course of trial has been recorded. As such it cannot be said that the petitioner can in any manner win over or influence the victim. The petitioner is in custody for a period of 06 months and 10 days. The conclusion of trial is likely to take some time. The petitioner is not involved in any other case. No useful purpose would be served by keeping the petitioner in further custody.
7. As such, sufficient mitigating circumstances are made out to grant the petitioner, concession of bail. Therefore, without making any expression of opinion on the merits of the case, it is ordered that the petitioner be released on regular bail subject to his furnishing requisite bail bonds/surety bonds to the satisfaction of the concerned trial Court/Chief Judicial Magistrate/Duty Magistrate.
8. The petition is allowed.

15.09.2023
Ajay Goswami

(VIVEK PURI)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No