

2023:PHHC:062714

CRM-M-29075-2022 (O&M)

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH
101+211

CRM-M-29075-2022 (O&M)
Date of Decision:-02.05.2023

Simrandeep Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE ALOK JAIN

Present: Mr. Gurpreet Singh Dhillon, Advocate for the petitioner.

Mr. Arun Gupta, AAG, Punjab.

Mr. Gautam Goyal, Advocate for
Mr. Vivek Gupta, Advocate for the complainant.

ALOK JAIN, J. (Oral)**CRM-7246-2023**

The instant application has been filed for placing on record the MRI Report of Gurjeet Singh (Father of the Petitioner) dated 23.01.2023, as Annexure A-1.

Application is allowed as prayed for, subject to all just exceptions. Annexure A-1 is taken on record.

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Prayer is for grant of regular bail to the petitioner in case FIR No. 0023 dated 28.04.2022 under Sections 354, 354-A and 506 of the Indian Penal Code and Section 10 of the POCSO Act, 2012, 2019, registered at Police Station Women, District Patiala.

2. Learned counsel for the petitioner submits that all the material

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witnesses have been examined and the petitioner is in custody from 29.04.2022. He also submits that the petitioner is the father of the alleged victim and the entire story is a bundle of lies.

3. Custody certificate dated 01.05.2023 has been filed by learned State Counsel in Court today, which is taken on record.

4. Learned State counsel assisted by learned counsel for the complainant vehemently opposes the grant of bail as there are serious allegations against the father for making an overt act with his minor daughter who is only three years old.

5. Learned counsel for the complainant has stated that instead of granting bail to the petitioner, it would be in the larger interest that a direction be issued for completion of trial.

6. After hearing learned counsel for the parties and the fact that the trial is likely to take long time, no useful purpose would be served by keeping the petitioner in custody.

7. Without commenting upon the merits, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate, concerned. He shall, however, be released on the following conditions:

1. The petitioner shall declare his ordinary place of residence and the mobile number used by him.
2. He will not switch off his mobile and in case of any technical glitch, he has to give an alternate number, which will be available in his absence.
3. He will mark his presence before the SHO concerned, after every 15 days and in case the SHO refuses to mark his presence, he is permitted to make an application before the Illaqa Magistrate, concerned.

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- 4. He will not leave the country without the prior permission of the Court, for which he will submit the copy of his passport also.
- 5. The petitioner shall not go in the proximity of the complainant till the pendency of the trial.

The petitioner shall abide by the terms and conditions as imposed in addition to Section 439 of Cr.P.C.

- 8. However, nothing stated above shall be construed as a final expression of opinion on the merits of the case.
- 9. In light of the sensitivity of the case, learned trial Court is advised to expedite the trial and complete it expeditiously.

02.05.2023
Neenu/parul

(ALOK JAIN)
JUDGE

Whether speaking/reasoned:-	Yes/No
Whether Reportable:-	Yes/No