

CRM-M-29226-2022

1

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

212

CRM-M-29226-2022

Date of Decision:-09.05.2023

BIKKAR SINGH ALIAS VICKY

.....Petitioner

Versus

STATE OF PUNJAB

.....Respondent

CORAM: HON'BLE MR. JUSTICE ALOK JAIN

Present: Mr.H.S.Oberoi, Advocate
for the petitionerMr.Pankaj Khullar, AAG Punjab
Assisted by Ms.Jaswinder Kaur, SIMr.Sanyam Bhardwaj, Advocate
for the complainant

ALOK JAIN, J. (Oral)

1. Prayer in the present petition is for grant of regular bail to the petitioner in case FIR No.192 dated 21.10.2021, under Section 376(2)(n) of the IPC and Section 6 of the POCSO Act, registered at Police Station City Sangrur, District Sangrur.

2. Learned counsel for the petitioner, relies upon the investigation report submitted by the Deputy Superintendent of Police, Sangrur, dated 23.02.2022, to submit that the entire story cooked up against the petitioner is false. He further submits that the petitioner is in custody since 23.10.2021 and the trial is likely to take some time.

3. Learned State counsel assisted by learned counsel for the complainant has vehemently opposed the bail on the ground that a

heinous crime has been committed by the petitioner and the prosecutrix was only 16 years of age at the time of the incident. He further submits that the testimony of the prosecutrix has completed, however, remaining witnesses are yet to be examined.

4. Without commenting upon the merits of the case, however, in the light of the fact that the testimony of the prosecutrix is completed, coupled with the fact that the petitioner is in custody since 23.10.2021 and the trial is likely to take long time, no useful purpose would be served by keeping the petitioner in custody, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail and surety bonds to the satisfaction of the trial Court/Duty Magistrate, concerned. He shall, however, be released on the following conditions:

- I. The petitioner shall declare his ordinary place of residence and the mobile number used by him.
- II. 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.
- III. 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.
- IV. He will not leave the country without the prior permission of the Court, for which he will submit the copy of his passport also.

CRM-M-29226-2022

3

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

6. However, nothing stated above shall be construed as a final expression of opinion on the merits of the case.

(ALOK JAIN)
JUDGE

09.05.2023
neenu

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