

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARHCRM-M 36203/2023
Date of decision: 01.08.2023.

Karan Kumar

.....Petitioner

Vs.

State of Punjab

.....Respondent

CORAM HON'BLE MS. JUSTICE NIDHI GUPTA

Present:- Mr. Gaurav Goyal, Advocate for the petitioner.

Mr. Pankaj Khullar, AAG Punjab

Nidhi Gupta, J.

Petitioner Karan Kumar son of Pardesi Tanti in this first petition under Section 439 Cr.PC prays for grant of regular bail in case FIR No. 265 dated 26.10.2021 registered under Section 376-AB IPC and Section 6 of POCSO Act, at PS Division NO.6, Ludhiana.

Ld. counsel for the petitioner inter alia submits that the petitioner has been falsely implicated in the matter due to a monetary dispute between the complainant/mother of the victim and parents of the petitioner. It is submitted that utterly false allegations have been concocted against the petitioner.

Custody certificate dated 31.7.2023 produced by the ld. State counsel is taken on record, as per which the petitioner has been in custody for a total period of 01 year 9 months and 5 days.

Ld. State counsel vehemently opposes the prayer for grant of regular bail and submits that victim was only 3 years old at the time of incident. It is submitted that complainant in her statement under Section 164 Cr.PC has supported the case of the prosecution. It is further submitted that out of 13 PWs, not a single witness has been examined thus far.

After hearing ld. counsel for the parties and without commenting on the merits of the matter but keeping in view the totality of the facts and circumstances of the case, I find no ground for grant of regular bail is made out at this stage.

Dismissed.

01.08.2023.
Joshi

(Nidhi Gupta)
Judge