

2023:PHHC:121238

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

CRM-M-43369-2023

Date of Decision: 14.09.2023

MANINDER SINGH ALIAS MANU

... PETITIONER

VS.

STATE OF PUNJAB

.. RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present : Mr. Siddharth Gupta, 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. 0026 dated 10.05.2023 under Sections 365/34 IPC (however, challan was submitted under Sections 365/363/354/506/34 IPC and Section 8 of the POCSO Act) registered at Police Station GRP Sangrur, Distict Govt. Railway Police.

2. Custody certificate has been placed on record.

3. Learned counsel for the petitioner contends that as per the allegations, the petitioner alongwith co-accused had kidnapped the victim and sexually assaulted her. During the course of trial, the victim and her father have not supported the prosecution version. The petitioner is in custody for a period of 04 months and 03 days and not involved in any other case.

4. Learned State counsel has not disputed the fact that the victim and her father have not supported the prosecution version but has stated that out of 25, only 04 witnesses have been examined.

5. It is significant to note that the victim and her father have not supported the prosecution version. During the course of their statements in the trial Court, they have not identified the petitioner as the person who

allegedly kidnapped her, administered her something and sexually assaulted her. Still 21 witnesses remain to be examined. The petitioner is in custody for a period of 04 months and 03 days and not involved in any other case. The conclusion of trial is likely to take some time and no fruitful purpose will be served by detaining the petitioner in further custody.

6. In such circumstances, sufficient grounds are made out to extend the concession of bail to the petitioner. Accordingly, without making any observation on the merits of the case, the present petition is allowed and petitioner is ordered to be released on bail, subject to his furnishing bail/surety bonds to the satisfaction of concerned trial Court/Chief Judicial Magistrate/Duty Magistrate.

14.09.2023
smriti

(VIVEK PURI)
JUDGE

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