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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-50816-2022 (O&M)

Date of Decision:- 06.01.2023

SATBIR SINGH ALIAS SATTOO ALIAS SATNAM SINGH

....Petitioner

Vs.

STATE OF HARYANA

...Respondent

CORAM:-HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present:- Mr. Mohinder Pal, Advocate for the petitioner.
Ms. Deepshikha Chauhan, Asstt. AG, Haryana.

AMARJOT BHATTI, J. (Oral)

The petitioner – Satbir Singh @ Satoo @ Satnam Singh has filed the instant petition under Section 439 Cr.P.C. for grant of regular bail in FIR No.31, dated 18.06.2021 under Sections 354-A, 451 IPC and Section 8 of POCSO Act registered at Police Station Women Police Station Sirsa.

As per the facts of the case, the complainant/victim gave her statement to the police that she is 16 years old and student of 10th Class. She was alone in the house as her parents had gone to the field and her brothers were playing outside. Their neighbour i.e. the present petitioner came to their house and asked for mobile phone charger. She told him that she was not having the charger. He sat on the bed and pulled her with bad intention and kissed on her cheeks. She ran outside the house. The information was given to her aunt on 17.06.2021 and she further informed her parents on 18.06.2021. Ultimately the matter was reported to the police.

Learned counsel for the petitioner argued that his bail application has been declined by the trial Court twice and on one occasion he had withdrawn the bail application. It is further conceded that he had filed petition u/s 482 Cr.P.C. for quashing of aforesaid FIR in which he had requested for interim relief of bail and the said CRM-M-54601-2021 was withdrawn vide order dated 28.03.2022 which is Annexure P-4. It is argued that the case is pending for prosecution evidence. All the material witnesses have been examined. He is in custody since 03.07.2021. He has also placed on record the copies of the statements of the victim recorded as PW-1, Annexure P-5, statement of Jagtar Singh - father of the victim recorded as PW-2. It is pointed out that all the material witnesses have already been recorded. He will abide by the terms of bail order. It is prayed that his regular bail application may be allowed.

Learned counsel representing the State has filed the status report confirming that the petitioner is in judicial custody since 03.07.2021. Till date 5 prosecution witnesses have been examined and 6 witnesses have been given up and the case is fixed for remaining prosecution evidence for 14.03.2023. It is argued that the allegations levelled against the petitioner are serious. Therefore, he is not entitled to be released on bail.

I have considered the arguments and have gone through the record carefully. The petitioner is behind the bars since 03.07.2021. It is also matter of record that material witnesses i.e. the victim and her father have been examined before the trial Court. The remaining prosecution evidence is yet to be concluded. As per the status report filed by the counsel representing the State 5 more witnesses are yet to be examined, therefore, the trial of this case is likely to take some time.

Therefore, without expressing my mind on the merits of the case, the regular bail application filed by Satbir Singh @ Satoo @ Satnam Singh is allowed. He is ordered to be released on bail to the satisfaction of trial Court/Duty Judge.

The petition is disposed of.

06.01.2023

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(AMARJOT BHATTI)
JUDGE

Whether speaking/reasoned: Yes/No.
Whether reportable: Yes/No