

2023:PHHC:162162

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

CRM-M-51712-2023

Date of Decision: 18.12.2023

**JARMANJIT SINGH @ JAMMU
VS.**

... PETITIONER

STATE OF PUNJAB

.. RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present : Mr. Raghav Goyal Chandiwalla, Advoate for
Mr. Simranjot S. Nagra, Advocate
for the petitioner.

Mr. Harsimar Singh Sitta, DAG, Punjab.

VIVEK PURI, J.(ORAL)

1. The petitioner is seeking regular bail in the case bearing FIR No.177 dated 09.12.2022 under Section 376 IPC registered at Police Station Ghuman, District Batala.

2. Custody certificate has been placed on record.

3. Briefly, the FIR has been registered on the allegations that the prosecutrix is aged about 21 years and was on friendly terms with the petitioner. On 08.12.2022, the petitioner took the prosecutrix to his house for the purpose of meeting with the family. There was no one in the house and the petitioner forcibly committed wrong act with her.

4. Learned counsel for the petitioner contends that during the course of trial, the prosecutrix and her mother have not supported the prosecution version. Even the prosecutrix had refused for her medico-legal examination. The petitioner is in custody for a period of 01 year and 07 days and not involved in any other case.

5. Learned State counsel submits that out of 13, 04 witnesses have been examined.

6. It is significant to note that the prosecutrix was aged about 21 years at the time of occurrence. During the course of trial, the prosecutrix and her mother have not supported the prosecution version. It is specifically and categorically deposed by the prosecutrix that the petitioner has not committed any offence. Even the prosecutrix had refused for her medical examination. The petitioner is in custody for a period of 01 year and 07 days and not involved in any other case. Still 09 witnesses remain to be examined. The conclusion of trial is likely to take some time and no fruitful purpose will be served by detaining the petitioner in further custody.

7. 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.

18.12.2023
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(VIVEK PURI)
JUDGE

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