

212 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-57835-2023 (O&M)
Date of Decision: 22.11.2023

GURPREET SINGH ALIAS PEETA

.....PETITIONER

Vs.

STATE OF PUNJAB

.....RESPONDENT

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present: Mr. J.K. Singla, Advocate,
for the petitioner.

Mr. Harpreet Singh, Addl. A.G., Punjab.

HARPREET KAUR JEEWAN J. (ORAL)

[1] Prayer in the present petition filed under Section 439 Cr.P.C. is for grant of regular bail to the petitioner in case bearing FIR No.194 dated 26.09.2022 (Annexure P-1) registered under Sections 376, 363, 366 & 506 of the IPC and Section 3 of the Protection of Children from Sexual Offences Act, 2012.

[2] The petitioner is facing trial with the allegations that on the intervening night of 25/26.09.2022, the petitioner along with some unknown persons caught hold the minor victim (date of birth 23.07.2006) for the purpose of compelling her to establish physical relationship with him.

[3] Counsel for the petitioner submitted that the petitioner has been implicated in a false case. The prosecutrix was about 16 years of age at the time of registration of the FIR. However, she has not supported the

prosecution case when examined as PW-1 (Annexure P-2) and even her father has not stated anything against the petitioner in his statement when examined as PW-2 (Annexure P-3).

[4] On the other hand, learned State counsel opposes the bail on the ground that the allegations levelled against the petitioner are serious in nature. However, submits that out of total 19 prosecution witnesses, 04 have been examined.

[5] Keeping in view the fact that the petitioner is in custody since 10.11.2022, the trial is going to take time and the material witnesses have been examined, the petition is allowed.

[6] The petitioner is ordered to be released on regular bail, subject to his furnishing adequate bail bonds/surety bonds to the satisfaction of the trial Court/concerned Duty Magistrate, concerned.

[7] Nothing expressed hereinabove would be construed to be an expression of opinion on merits of the case.

[8] Pending miscellaneous application (s), if any, shall also stand disposed of.

November 22, 2023
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(HARPREET KAUR JEEWAN)
JUDGE

Whether Speaking	Yes
Whether reportable	No