

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

Sr. No.210

CRM-M-62437-2023 (O&M)

Date of decision : 15.12.2023

Jarmanjit Singh @ Jammu

..... Petitioner

VERSUS

State of Punjab

..... Respondent

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present: Mr. L.S. Sidhu, Advocate, for the petitioner.

Mr. Harpreet Singh, Addl. AG, Punjab

HARPREET KAUR JEEWAN, J. (Oral)

The present petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case bearing FIR No.341 dated 16.08.2023, registered under Sections 341, 342, 354 & 506 of the IPC and Section 8 of POCSO Act at Police Station Goindwal Sahib, District Tarn Taran, Punjab.

The present FIR has been registered at the instance of the farther of the prosecutrix who was 14 years and 05 months and studying in 9th class. The allegations in the FIR are that the petitioner blocked the passage of her daughter and caught her arm and brought her to the house of one Gian Singh and out-raged her modesty. On alarm raised by the prosecutrix, her uncle, namely, Paramjit Singh reached there.

Learned counsel for the petitioner submits that medical examination of the prosecutrix was not conducted. The petitioner is in custody since 17.08.2023. Challan has already been presented.

On the other hand, learned State counsel opposes the bail on the

nature. However, on instructions from ASI-Baljinder Singh submits that challan has been presented. The prosecutrix refused to get her medical examination and her statement under Section 164 Cr.P.C. was recorded.

In view of the above facts and circumstances and considering the fact that the trial will take some time to conclude, investigation qua the petitioner is complete, the present petition is allowed. 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 and subject to conditions that he will not go near the house of the prosecutrix and would not threaten her in any manner and would not tamper with the prosecution evidence.

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

(HARPREET KAUR JEEWAN)
JUDGE

15.12.2023
Ramandeep Singh

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