

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

CRM-M-9552-2024 (O&M)

DATE OF DECISION : 21.03.2024

PAWAN KUMAR @ PAWAN

... PETITIONER

V/S

STATE OF PUNJAB

... RESPONDENT

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present: Ms. Rishma Verma, Advocate for the petitioner.

Mr. Davinder Bir Singh, Sr. DAG, Punjab.

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HARPREET KAUR JEEWAN, J. (ORAL)

1. 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. 203 dated 12.10.2023 registered under Sections 363, 366-A, 120-B of the IPC (Sections 4, 6 of Protection of Children from Sexual Offences Act added later on) at Police Station City Phagwara, District Kapurthala.

2. As per the prosecution case, on 21.09.2023 the prosecutrix aged about 17 years and 9 months left her home and went along with Jatinder Ram, co-accused of the petitioner and she had stayed at various places along with him. The allegations against the petitioner are that he had extended help to Jatinder Ram.

3. Learned counsel for the petitioner contends that the petitioner is in custody since 13.10.2023. The challan/final report has already been presented. The main accused is in custody.

4. Learned State counsel has verified that the main accused Jatinder Ram is in custody.

5. There are no allegations of sexual assault against the petitioner. As per the custody certificate, petitioner is in custody for the last 5 months and 10 days. No specific role has been attributed to the petitioner. The allegations qua help given by the petitioner is a matter of trial. Even in the statement recorded under Section 164 Cr.P.C. (Annexure P-2), there are no specific allegations against the petitioner except the general allegations. The trial is going to take time.

6. In view of the aforesaid facts and circumstances and without expressing any opinion on the merits of the case, the application is allowed. The petitioner is ordered to be released on regular bail, subject to his furnishing adequate bonds/surety to the satisfaction of the trial Court/Chief Judicial Magistrate, concerned.

21.03.2024

Janki

**(HARPREET KAUR JEEWAN)
JUDGE**

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No