

Sr. No.296

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

CRM-M-19058-2024
Date of decision: 25th April, 2024

GURJEET SINGH**Petitioner**

versus

STATE OF HARYANA**Respondent**

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present: Mr. Divyam Singh, Advocate for
Mr. Vikram Singh, Advocate
for the petitioner.

Ms. Mayuri Lakhanpal Kalia, DAG, Haryana.

Mr. Sukhdev Singh, Advocate
for the complainant.

HARPREET KAUR JEEWAN, J. (ORAL)

1. The instant petition has been filed by the petitioner under Section 439 of the Code of Criminal Procedure, 1973 seeking regular bail in case FIR No.288 dated 16.08.2023, under Sections 354, 354-A IPC, 1860 and Section 12 of Protection of Children from Sexual Offences Act, 2012, registered at Police Station Butana, District Karnal.
2. Learned counsel for the petitioner contends that after the completion of investigation, final report/challan under Section 173 Cr.P.C. has been presented before the trial Court. However, the parties have effected a compromise dated 12.04.2024 (Annexure P-1). The petitioner is ready to face the trial.
3. Learned State counsel has filed custody certificate dated 24.04.2024 on behalf of the respondent-State of Haryana, which is taken on record. As per the custody certificate, the petitioner has undergone 08 months and 03 days of custody.

4. Mr. Sukhdev Singh, Advocate has put in appearance on behalf of the complainant and filed power of attorney, which is taken on record. He has confirmed the factum of compromise arrived at between the petitioner and the complainant.

5. I have considered the aforesaid contentions and perused the paper book.

6. As per the prosecution story, on 16.08.2023, the prosecutrix, who is about 17 years of age, had gone to the SBI ATM, where the petitioner was working as a Security Guard and he touched her inappropriately.

7. The investigation is complete. Final report under Section 173 Cr.P.C. has been presented before the trial Court. The offence under Section 12 of the Protection of Children from Sexual Offences Act, 2012, is punishable for 03 years. As per the custody certificate dated 24.04.2024, the petitioner has already undergone 08 months and 03 days of sentence. Conclusion of trial is likely to take some time, as such, without commenting upon the merits of the case and keeping in view the above facts, the petition is allowed.

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

9. Pending miscellaneous application (s), if any, shall also stand disposed of.

(HARPREET KAUR JEEWAN)
JUDGE

25th April, 2024
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