



Sr. No.226

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-20422-2024
Date of decision: 16th July 2024

YODHBIR SINGH ALIAS YODHAPetitioner

versus

STATE OF PUNJABRespondent

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present: Mr. Vikas Gupta, Advocate
for the petitioner.

Ms. Sakshi Bakshi, AAG, Punjab.

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.63 dated 12.05.2023, under Sections 354, 363, 366, 34 of IPC, 1860 and Section 12 of Protection of Children from Sexual Offences Act, 2012, registered at Police Station Bhikhiwind, District Tarn Tarn (Annexure P-1).

2. The FIR has been registered at the instance of the prosecutrix with the allegations that on 08.05.2023, at about 7:30 AM, she was going to school and on her way, co-accused Ansh and the present petitioner came on a motorcycle, which was being driven by the petitioner. Co-accused of the petitioner proposed the complainant for marriage and upon her refusal, he held her arm and they took her to Gurudwara Sahib, where the complainant raised an alarm and both the petitioner and his co-accused ran away from the spot.

3. Notice of motion.

4. Ms. Himani Arora, A.A.G.,Punjab, accepts notice on behalf of

respondent-State of Punjab.



5. Learned State counsel has filed custody certificate of the petitioner dated 15.07.2024, reflecting his period of custody as 01 year and 04 days, which is taken on record.
6. Heard.
7. Investigation is complete. Final report/challan under Section 173 Cr.P.C. has been presented before the trial Court and charges have been framed. The prosecutrix has been examined as PW-3 (Annexure P-4) and she has not supported the prosecution case. The petitioner is in custody for a period of 01 year and 04 days, as per the custody certificate dated 15.07.2024. Conclusion of trial is likely to take time. No useful purpose would be served by keeping in the petitioner in custody during trial, as such, without expressing any opinion on the merits of the case and keeping in view the above facts, the present petition is allowed.
8. The petitioner is ordered to be released on regular bail, subject to his furnishing adequate bail bonds and surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned.
9. Pending miscellaneous application(s), if any, shall stand disposed of.

(HARPREET KAUR JEEWAN)
JUDGE

16th July 2024
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Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No