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2024:PHHC:148242



ANMOL

... PETITIONER

V/S

STATE OF PUNJAB

... RESPONDENT

Present: Ms. Manpreet, Advocate for the petitioner.
Ms. Sakshi Bakshi, AAG, Punjab.
* * *

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. 08 dated 02.02.2024 registered under Sections 376, 346, 120-B of the IPC and Section 6 of Protection of Children from Sexual Offences Act, at Police Station Khui Khara, District Fazilka.
2. Status report by way of affidavit of Tarsem Masih, PPS, Deputy Superintendent of Police, Sub Division Fazilka, District Fazilka on behalf of the State has been taken on record.
3. I have heard the counsel for the parties.
4. As per the statement under Section 164 Cr.P.C. of the prosecutrix, who is 15 years of age, Bhim Sain, the co-accused of the petitioner who was earlier working as PT Teacher was in contact with the prosecutrix on Instagram. On 02.02.2024, the petitioner is alleged to have assisted and facilitated the co-accused Bhim Sain in committing the offence of sexual abuse of the minor prosecutrix. There are no allegations of sexual

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abuse against petitioner-Anmol. The petitioner is in custody for a period of 7 months and 28 days, as per the custody certificate submitted today in the Court. The petitioner is a young boy of 19 years of age. The investigation of the case is complete. The co-accused Bhim Sain has already been arrested. Even the charges have been framed by the trial Court on 03.07.2024. Out of 17 prosecution witnesses, none has been examined. The conclusion of the trial is going to take time. Therefore, without expressing any opinion on the merits of the case, the present petition is allowed. 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 concerned.

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

13.11.2024

Janki

(HARPREET KAUR JEEWAN)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No